COMMITTEE ACTION SHEET

COUNCIL DOCKET OF OCT 21/2008	
☐ Supplemental ☐ Adoption ☐ Consent ☐ Unanimous Consent Rules Committee Consultant Re	view
R-	
0 -	
Advertising and Award of South Mission Valley Trunk Sewer	
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Reviewed Initiated By NR&C On 7/23/08 Item No. 2b	
RECOMMENDATION TO:	
Approve.	~
VOTED YEA: Frye, Faulconer, Peters, Atkins	
VOTED NAY:	,
NOT PRESENT:	
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CITY CLERK: Please reference the following reports on the City Council Docket:	
REPORT TO THE CITY COUNCIL NO.	
INDEPENDENT BUDGET ANALYST NO.	
COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.	
OTHER:	
Engineering and Capital Projects Department's July 16, 2008, Executive Summary Sheet	

COUNCIL COMMITTEE CONSULTANT _

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:

July 16, 2008 REPORT NO.

ATTENTION:

SUBJECT:

Natural Resources & Culture Committee Meeting

Agenda of July 23, 2008

ORIGINAL DEPT.:

Engineering and Capital Projects, Right-Of-Way Division Advertising and Award of South Mission Valley Trunk Sewer

COUNCIL DISTRICTS:

2 (Faulconer), 3 (Atkins), 6 (Frye), 7 (Madaffer)

STAFF CONTACT:

M. Gibson (619) 533-5213/W. Gamboa (619) 235-1971

REQUESTED ACTION:

Council authorization is requested to advertise and award a construction contract for South Mission Valley Trunk Sewer.

STAFF RECOMMENDATION:

• Adopt the resolutions.

EXECUTIVE SUMMARY:

The South Mission Valley Trunk Sewer, originally installed in 1947, is located in the Mission Valley Community along Interstate 8 between Morena Boulevard and Interstate 15 and consists of four phases. This project, South Mission Valley Trunk Sewer, is the first phase of this trunk sewer replacement and consists of approximately 3,000 feet of 42" diameter trunk sewer along Interstate 8 between Hotel Circle Place and Taylor St., and approximately 600 feet of 24" diameter trunk sewer at the I-8/I-15 interchange. It includes those portions of the trunk sewer in deteriorated conditions, and also replacement of the downstream portion to increase capacity. The EPA requires completion of this project by October 2011.

This request includes the transfer of FY2009 budget from CIP 44-001.0, Annual Allocation – Sewer Main Replacement to CIP 40-931.0, South Mission Valley Trunk Sewer. Currently, there are no Sewer Group projects scheduled and prepared to encumber this funding.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency:

City of San Diego

Goals:

14% Mandatory Subcontractor Participation Goal, 5% Advisory Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise

(DVBE), 8% Advisory Participation Goal Other Business Enterprise (OBE).

Other:

Prior to award, a workforce report, and if necessary, an Equal Opportunity Plan

shall be submitted. Staff will monitor the Plan and adherence to the

Nondiscrimination Ordinance. EOC staff will evaluate the bidder's compliance with SCOPe. Failure to comply with SCOPe will lead to the bid being declared non-responsive. This contract will be advertised for bids in the San Diego Daily Transcript, the Orange County Register, the City of San Diego's website, and the E-Bid Board. In addition, once implemented, the Bidder Registration Program will notify registered participants of bid opportunities. Prior to

implementation of the Bidder Registration Program, the City will notify trade associations and eligible firms via fax and/or e-mail.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$15,816,663.35. Funding of \$2,262,971 was previously authorized by Council (R-296104), Council (R-294804) and O-19701 for consultant services and related costs for South Mission Valley Trunk Sewer projects Phase I, II, III and IV. Of this amount, \$993,026.35 was authorized for South Mission Valley Trunk Sewer (Phase I). Additional funding of \$14,246,137 will be available in the Enterprise Fund, CIP 40-931.0, South Mission Valley Trunk Sewer, Fund 41506, Sewer, of which \$2,426,797 was transferred from CIP 44-001.0, Annual Allocation — Sewer Main Replacement, Fund 41506, Sewer and \$577,500 will be available in CIP 46-193.0, Annual Allocation — Muni Pool Contingency, Fund 41506, Sewer, for this purpose.

This project cost may be reimbursed approximately 80% by current or future debt financing. This project is scheduled to be phase funded over two fiscal years from FY2009 to FY2010. Contingent upon availability of funds, the City Comptroller will issue an Auditor Certificate for each phase of the project.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

On May 1, 2001, Council (R-294804) and February 25, 2002, Council (R-296104) executed an agreement with Hirsch and Company for \$118,000 for pre-design and \$954,971 for design, respectively. On January 8, 2008 Council (O-19701) executed a First Amendment to the agreement with RBF Consulting for \$394,148 and authorized additional related in-house costs for \$795,852.

The subject item will be presented to the Committee on Natural Resources and Culture prior to the Council Docket date.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

During the original design phase, this project had been presented to the Mission Valley Community Council and Mission Valley Tourism Council on four (4) separate occasions from 2001 to 2004. A more recent presentation to the Mission Valley Community Council was made on April 2, 2008, and a presentation to the Mission Valley Tourism Council is scheduled for July 15, 2008. Residents and businesses will be notified by the City's Engineering & Capital Projects Department at least one (1) month before construction begins and by the contractor at least ten (10) days before construction begins through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The key stakeholders are identified as public and municipality. The project impacts include improved capacity for the new trunk sewer.

Patti Boekamp

Director, Engineering & Capital Projects

David Jarrell

Deputy Chief of Public Works

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Land Development Review Division (619) 446-5460 SDF Ste Dorolopine & Parmit Processe

Mitigated Negative Declaration

Project No. 22528 SCH No. Pending

SUBJECT:

South Mission Valley Trunk Sewer: COUNCIL APPROVAL of Capital Improvement Project No. 40931.0 for the replacement and new construction of approximately 21,182 lineal feet (LF) and the abandonment of 12,830 LF of existing trunk sewers and sewer main. Scope of work also includes associated improvements such as laterals, manholes, and related improvements within portions of Taylor Street, under Interstate 8, Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163, Camino del Rio South, under Interstate 805, Mission Center Drive, Interstate Route 5, Camino de la Reina, Camino del Rio North, Camino del Arroyo, and under State Rout 15. The project is located within the Mission Valley Community planning area of the City and County of San Diego, California. Applicant: City of San Diego, Engineering and Capital Projects Department, Water & Sewer Design Division.

UPDATE:

Minor revisions to this document have been made when compared to the draft Mitigated Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a strikethrough and/or underline format.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s):

HISTORICAL (ARCHAEOLOGY) RESOURCES, BIOLOGICAL RESOURCES, LAND

USE/MSCP, AND PALEONTOLOGICAL RESOURCES. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant

environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

GENERAL:

Prior to the preconstruction meeting, the Assistant Deputy Director of the Land Development Review Division (LDR) shall verify that the following mitigation measures are noted within the construction/grading plans and/or specifications submitted and included in the specifications under the heading *Environmental Mitigation Requirements*.

BIOLOGICAL RESOURCES

- 1. Prior to the commencement of any construction activities, the owner/permittee shall make arrangement to schedule a preconstruction meeting to ensure implementation of the Mitigation Monitoring and Reporting Program (MMRP). The meeting shall include the Resident Engineer (RE), monitoring biologist, monitoring archaeologist, and staff from the City's Mitigation monitoring Coordination (MMC) Section.
- 2. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD of LDR stating that a qualified Biologist, as defined in the City of San Diego Biological Resource Guidelines (BRG), has been retained to implement the mitigation measures.
- 3. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- 4. The project biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A.
- 5. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A.

LAND USE/MSCP

- 1. Prior to initiation of any construction-related grading, the biologist shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
- 2. Prior to preconstruction meeting, the limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of grading shall be defined with silt fencing and checked by the biological monitor before initiation of construction grading.
- 3. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields. If lighting adjacent to the MHPA is required for nighttime construction, it shall be unidirectional, low pressure sodium illumination (or similar), and it shall be directed away form the preserve areas and the tops of adjacent trees with potentially nesting raptor species, using appropriate placement and shields.
- 4. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; No equipment maintenance shall be conducted within or near the adjacent open space.
- 5. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
- 6. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off-site to an approved disposal facility.
- 7. Prior to the preconstruction meeting, the ADD of LDR shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:
 - If abandonment of the sewer line within the MHPA occurs during the breeding season of the California gnatcatcher, Least Bell's vireo, Southwestern Willow Flycatcher, the following mitigation measures shall be implemented:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

1. Prior to the preconstruction meeting, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the Coastal California gnatcatcher, until the

following requirements have been met to the satisfaction of the City Manager:

- A. A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the Coastal California gnatcatcher. Surveys for the Coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If gnatcatchers are present, then the following conditions must be met:
 - I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
 - II. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db(a) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 db(a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
 - III. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the Coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

- * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
 - B. If Coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:
 - I. If this evidence indicates the potential is high for Coastal California gnateatcher to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
 - II. If this evidence concludes that no impacts to this species are anticipated, no further mitigation measures are necessary.

LEAST BELL'S VIREO (State Endangered/Federally Endangered)

2. Prior to the preconstruction meeting), the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 15 and September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the city manager:

- A. A qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the least bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife service within the breeding season prior to the commencement of construction. If the least Bell's vireo is present, then the following conditions must be met:
 - I. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a

qualified biologist; and

- II. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db(a) hourly average at the edge of occupied least Bell's vireo or habitat. An analysis showing that noise generated by construction activities would not exceed 60 db(a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
- III. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).
- * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
- B. If least Bell's vireo are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:

- I. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
- II. If this evidence concludes that no impacts to this species are anticipated, no further mitigation measures are necessary.

SOUTHWESTERN WILLOW FLYCATCHER (Federally Endangered)

3. Prior to the preconstruction meeting, the <u>City Manager</u> (or appointed designee) shall verify that the following project requirements regarding the southwestern willow flycatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between May 1 and September 1, the breeding season of the Southwestern Willow Flycatcher, until the following requirements have been met to the satisfaction of the city manager:

- A. A qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 decibels [db(a)] hourly average for the presence of the Southwestern Willow Flycatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If the Southwestern Willow Flycatcher is present, then the following conditions must be met:
 - I. Between May 1 and September 1, no clearing, grubbing, or grading of occupied Southwestern Willow Flycatcher habitat shall be permitted.

 Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
 - II. Between May 1 and September 1, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db(a) hourly average at the edge of occupied southwestern willow flycatcher habitat. an analysis showing that noise generated by construction activities would not exceed 60 db(a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. prior to the commencement of construction activities prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a

qualified biologist; or

- III. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the Southwestern Willow Flycatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 1).
- * Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
- B. If Southwestern Willow Flycatcher are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between May 1 and September 1 as follows:
 - I. If this evidence indicates the potential is high for southwestern willow flycatcher to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
 - II. If this evidence concludes that no impacts to this species are anticipated, no additional mitigation measures are necessary.

RAPTORS

1. If the site has a potential to support nests and nesting raptors are present during construction, compliance with the Migratory Bird Treaty Act/Section 3503 would preclude the potential for direct impacts.

2. If there is a potential for indirect noise impacts to nesting raptors prior to any landfill or ancillary facility construction within the development area during the raptor breeding season (February 1 through September 15), the biologist shall conduct a preconstruction survey to determine the presence of active raptor nests. If active nests are detected the biologist in consultation with EAS staff shall establish a species appropriate noise buffer zone. No construction shall occur within this zone.

HISTORICAL RESOURCES (ARCHAEOLOGY DATA RECOVERY PROGRAM)

As a condition of project approval, the applicant is required to conduct an Archaeological Data Recovery Program (ADRP) to mitigate for potential impacts to archaeological site (P-37 and adjacent Presidio Park) as follows:

Prior to Preconstruction (Precon) Meeting

- 1. Land Development Review (LDR) Plan Check
 - a. Prior to the preconstruction meeting, or issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) of LDR shall verify that the requirements for the ARCHAEOLOGICAL DATA RECOVERY PROGRAM (ADRP) have been noted on the appropriate construction documents.
 - 2. Letters of Qualification have been submitted to ADD
 - a. Prior to the preconstruction meeting, recordation of the first final map, NTP, and/or, including but not limited to, issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to the ADD of LDR stating that a qualified Archaeologist, as defined in the City of San Diego Historical Resources Guidelines (HRG), has been retained to implement the ADRP. If applicable, individuals involved in the archaeological program must have completed the 40-hour HAZWOPER training with certification documentation. ALL PERSONS INVOLVED IN THE ADRP AND MONITORING OF THIS PROJECT SHALL BE APPROVED BY ADD OF LDR PRIOR TO THE START OF THE PROJECT.
 - b. A Native American Monitor, if applicable shall be present during initial excavation/grading of undisturbed ground in the event that cultural features or human remains are found and the procedures set forth in Section 4 shall be implemented.

Precon Meeting

- 1. Qualified Archaeologist Shall Attend Precon Meetings
 - a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Archaeologist, Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the ADRP with the Construction Manager and/or Grading Contractor.
 - b. If the Monitor is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor=s representatives to meet and review the job on-site prior to start of any work that requires monitoring.

2. Identify Areas involved in ADRP

- a. At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas involved in the ADRP as well as areas that may require delineation of grading limits.
- b. Prior to the issuance of grading permits or NTP, the area involved in the ADRP shall be surveyed, staked and flagged by the qualified archaeologist as defined above.

When ADRP Will Occur

a. Prior to the start of work, the Archaeologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where the ADRP is to begin and shall notify MMC of the start date for work.

4. ADRP Implementation

a. Prior to construction, the applicant department shall implement the ADRP detailed in the Cultural Resources Study prepared by HDR Inc. (June 2003), satisfactory to the City Manager. The ADRP in the form of testing shall be conducted at the planned manhole locations along Taylor Street (below Presidio Park). Excavation of the manhole test units shall be conducted at ten centimeter levels and all materials screened through eighth-inch mesh. Should resources be encountered during the testing program, the PI shall contact MMC and the RE in order to determine the appropriate additional measures required depending on the nature and size of the encountered resource.

5. Human Remains

a. If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) will be taken:

b. Notification

- (1) Archaeological Monitor shall notify the RE or BI as appropriate, MMC and the PI if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- (2) The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

c. Isolate discovery site

- (1) Work will be redirected from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- (2) The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
- (3) If a field examination is not warranted, the Medical Examiner shall determine, with input from the PI, if the remains are or are most likely to be of Native American origin.

d. If Human Remains are determined to be Native American

- (1) The Medical Examiner shall notify the Native American Historic Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.
- (2) The NAHC will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination.
- (3) NAHC will identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- (4) The PI will coordinate with the MLD for additional coordination.
- (5) Disposition of Native American human remains will be determined between

the MLD and the PI, IF:

- (a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
- (b) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner or their authorized representative shall re-inter the human remains and all associated grave goods with appropriate dignity, on the property in a location not subject to subsurface disturbance. Information on this process will be provided to the NAHC.

e. If Human Remains are NOT Native American

- (1) The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- (2) The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- (3) If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for reinterment of the human remains shall be made in consultation with MMC, EAS, the land owner and the Museum of Man.

6. Notification of Completion of ADRP

a. The Archaeologist shall notify MMC and the RE or the BI, as appropriate, in writing of the end date of the ADRP.

Post Construction

- 1. Handling and Curation of Artifacts and Letter of Acceptance
 - a. The Archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 - b. Curation of artifacts associated with the survey, testing and/or data recovery for

this project shall be completed in consultation with LDR and the Native American representative, as applicable.

- 2. Final Results Reports (Monitoring and Research Design And Data Recovery Program)
 - a. Prior to the release of the grading bond, two copies of the Final Results Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the ADRP (with appropriate graphics) shall be submitted to MMC for approval by the ADD of LDR.
 - b. MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.
- 3. Recording Sites with State of California Department of Park and Recreation
 - a. The Archaeologist shall be responsible for updating the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B associated with the ADRP in accordance with the City=s Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Results Report.
- 4. Handling and curation of artifacts and Letter of Acceptance
 - a. The archaeologist shall be responsible for ensuring that all cultural materials and associated records collected during the initial archaeological survey and evaluation phase, implementation of the ADRP and as a result of construction related excavation shall be cleaned, catalogued and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and chronology as they relate to the history of the area and to allow a comparison with previous nearby studies; that faunal material is identified as to species, and that specialty studies shall be completed, as appropriate, including obsidian hydration and sourcing analysis, protein residue studies and radiocarbon dating.
 - b. Curation of artifacts associated with this program shall be completed in consultation with LDR and the Native American representative, as appropriate
- 5. On completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist shall attend a second preconstruction meetings to make comments and/or suggestions concerning the proposed grading process.

HISTORICAL RESOURCES (ARCHAEOLOGY)

Prior to Permit Issuance or Bid Opening/Bid Award

A. Land Development Review (LDR) Plan Check

Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.

- B. Letters of Qualification have been submitted to ADD
 - Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
 - 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the ½ mile radius.

B. PI Shall Attend Precon Meetings

- 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

- 3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).
 - c. MMC shall notify the PI that the AME has been approved.
- 4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
- 5. Approval of AME and Construction Schedule

After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 - 1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
 - 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 - 3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

- 1. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1) Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
 - (1) Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2) Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

- 1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
 - IV. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

- 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

- 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- 2. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
- 3. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

- 1. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.
- 2. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.
- 3. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..
- 4. The PI shall coordinate with the MLD for additional consultation.
- 5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

D. If Human Remains are NOT Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

Night Work

- A. If night work is included in the contract
 - 1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVR and submit to MMC via the RE by fax by 9am the following morning, if possible.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

d. The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated

in Section III-B, unless other specific arrangements have been made.

- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

Post Construction

- A. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

- 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.

- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

- 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
- 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - 2. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 - 3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 - 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

- 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL RESOURCES

Prior to Permit Issuance or Bid Opening/Bid Award

- A. Land Development Review (LDR) Plan Check
 - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

Prior to Start of Construction

- A. Verification of Records Search
 - The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any

grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
 The applicant shall submit a letter to MMC acknowledging their responsibility for
 the cost of curation associated with all phases of the paleontological monitoring
 program.

3. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
- b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- c. MMC shall notify the PI that the PME has been approved.

4. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

5. Approval of PME and Construction Schedule

After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.

During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 - 1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity at depths of 10 feet or greater and as authorized by the construction manager.. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
 - 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 - 3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

- 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

- 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance

determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

- b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance.

- 1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan

view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.

- b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
- c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

Night Work

- A. If night work is included in the contract
 - 1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVR and submit to MMC via the RE via fax by 9am the following morning, if possible.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

Post Construction

- A. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

- 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
- 4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

C. Curation of artifacts: Deed of Gift and Acceptance Verification

- 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
- 2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
- 3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
- 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

- 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

VI.PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

Federal Government
Environmental Protection Agency (19)
United Stated Fish and Wildlife Service (23)
Army Corps of Engineers (26)

State of California
Caltrans Planning (31)
California Department of Fish and Game, Don Chadwick (32)

California Department of Parks and Recreation (40) State Clearinghouse (46) Regional Water Quality Control Board (44) State Clearinghouse (87)

City of San Diego:

Council District 6, Councilmember Frye Development Services Department Engineering and Capital Projects Department Planning Department Branch Library (MS 17) Historic Resources Board (87) Wetlands Advisory Board (171) Park and Recreation Department (804A)

Other

Sierra Club (165A) San Diego Audubon Society (167) California Native Plant Society (170) Center for Biological Diversity (176) Citizens Coordinate for Century III (179) Endangered Habitats League (182)

Dr. Jerry Schafer (208A)

South Coastal Information Center (210)

San Diego Archaeological Society (212)

San Diego Natural History Museum (213)

Save Our Heritage Organization (214)

Ron Christman (215)

Louis Guassac (215A)

San Diego County Archaeological Society (218)

Native American Heritage Commission (222)

Kumeyaay Cultural Repatriation Committee (225)

Native American Distribution (Public Notice Only) (225A-R)

Mission Valley Center Association (328)

Hazard Center (328A)

Mary Johnson (328B)

Mission Valley Community Council (328C)

Union Tribune News (329)

Friends of the Mission Valley Preserve (330)

Mission Valley Unified Planning Organization (331)

Mr. Gene Kemp (332)

River Valley Preservation Project (334)

Presidio Park Council (370)

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft **Mitigated Negative Declaration**, the Mitigation, Monitoring and Reporting Program and any Initial Study materials are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.

Eileen Lower, Senior Planner

Development Services Department

August 23, 2005 Date of Draft Report

January 27, 2006
Date of Final Report

Analyst: SHEARER-NGUYEN



STATE OF CALIFORNIA

Governor's Office of Planning and Research State Clearinghouse and Planning Unit



Sean Wals

Amold Schwarzenegger . Governor

September 26, 2005

E. Shearer-Nguyen City of San Diego 1222 First Avenue, MS-501 San Diego, CA 92101

Subject: South Mission Valley Trunk Sewer SCH#: 2005081140

Dear E. Shearer-Nguyen:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 23, 2005, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in faiture correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final cavironneutal document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044 TEL (916) 445-D613 FAX (916) 523-3018 www.opr.ce.gov

Response to State Clearinghouse letter for the South Mission Valley Tri	unk Sewer Projec
Project No. 22528	

Comment noted. The comment letter provided by CALTRANS has been included.



San Diego County Archaeological Society, Inc.

Environmental Review Committee

10 September 2005

To:

Ms. Elizabeth Shearer-Nguyen

Development Services Department.

City of San Diego

1222 First Avenue, Mail Station 501

San Diego, California 92101

Subject.

Draft Mitigated Negative Declaration

South Mission Valley Trunk Sewer

Project No. 22528

Dear Ms. Shearer-Nguyen:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and initial study, and the cultural resources study for the project, we have the following comments:

 I believe Brian F. Smith and Associates excavated a portion of the village of Cosoy site in the late 1970's or early 1980's. That work does not seem to appear in the references for the cultural resources report for this project. Unless I've missed it, the report for that effort should be obtained from Brian F. Smith and Associates and integrated into the current report.

2.

3.

- There are several other archaeological investigations that have occurred in the project area and vicinity in the few years since the cultural resources report for this project was prepared. They should also be reviewed prior to proceeding on this project.
- 3. Please confirm the site trinomial for the "Old Town Bridge Burn Ash" site. Presumably it has been recorded since the report for the current project was prepared. If it hasn't, the City will need to follow up with the archaeologist for the project which led to its discovery.
- 4. Please address the potential for tunneling operations adjacent to Presidio Hill to cause indirect impacts to the Presidio Site. The concern is that the excavation operations below the hill could cause slippage from the somewhat precarious hillside above. Ultimately, the City needs to address the long-term stability of the hill above the road cut. As a side comment, Figure 1-6 in the cultural resources.

Agreement and archaeological reports within the project vicinity. Additional research in Land Development Review (LDR) Archaeology Library confirmed that two reports were prepared by Brian F. Smith and Associates for the Altas Hotels Specific Plan (LDR# 84-0129) in 1984 and 1986. Although it is unclear why this report reference was not included in the SCIC Record Search for the current study, the archaeological consultant did review the original site form for SDI-4675 and provided recommendations for monitoring along the trunk sewer alignment in this area. Additional information from these reports is provided below.

Response to San Diego County Archaeological Society, Inc. letter for the South Mission Valley Trunk Sewer Project

Project No. 22528

In response to this comment, additional research was conducted by qualified City staff which included review of record search information from the California Historic

Resources Information System (CHRIS) digital database provided to the City of San Diego under the South Coastal Information Center (SCIC) CHRIS Partnership

The Cultural Resources Assessment (May 1984) and Excavation Summary Report (November 1986) evaluated eight parcels in Mission Valley between Interstate 5 and State Route 163 on north and south sides of Interstate 8. Three of the parcels were located along Hotel Circle North and the remaining 5 were located along Hotel Circle South. The portion of the assessment relevant to the current project is related to SDI-4675(SDMM-W-1137). AKA the "Brown Site," which was originally discovered by Richard Gadler in 1975 and subsequently recorded by Dr. James Moriarty at the San Diego Museum of Man in 1976. According to the Smith study, the excavations of the Brown Site (totally within the boundaries of Parcel 2) conducted in 1977 by the University of San Diego, under the direction of Dr. Moriarty included approximately 50% of the site area and over 60% of the area available for study. The study further concluded that roughly 30% of the archaeological site existed under the house and parking lot that remained on the site at the time; and that the sample from the cultural deposit was considered sufficient to constitute a successful data recovery program. Although the site had been previously disturbed due to construction related activities altering the stratigraphic record, the Brown Site was still considered a unique resource as defined by CEQA.

Although the Brown Site may remain below the existing building and parking lot improvements, based on a personal communication with Brian F. Smith (January 2006), the 1977 excavation program did not extend into the developed public right-of-way and it is unknown whether intact portions of the site still remain within the proposed trunk sewer alignment. Although a pre-trenching testing program is not required, there is a potential for prehistoric resources to be encountered during trenching activities and microtunneling in the vicinity of SDI-4675. Therefore, in accordance with the Public Resources Code Section 21083.2, CEQA Section 15064.5, and the City's Historical Resources Guidelines, the monitoring program identified in Section V of the MND provides adequate mitigation to reduce potential impacts to unknown archaeological resources to below a level of significance.

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Response to San Diego County Archaeological Society, Inc. letter for the South Mission Valley Trunk Sewer Project Project No. 22528

- According to the Cultural Resources Study prepared by Nina Harris (June 2003). 4 nineteen studies have previously been conducted within the proposed project Area of α Potential Effect (APE) dating back to 1968 (Ezell, San Diego Presidio Site). These studies are documented in Table A of the Harris Report. In addition, a site specific Records Search (1/4 mile) was conducted at the SCIC which resulted in the identification of sixteen recorded sites as documented in Table B of the report. In response to comments received during public review, additional research was conducted by qualified City staff which included review of record search information from the CHRIS digital database provided to the City of San Diego under the SCIC CHRIS Partnership Agreement and recent archaeological reports within the project vicinity. Research confirmed that while one archaeological resources inventory and survey was prepared for an adjacent project in February 2004 (Project No. 40117 - Ocean Beach/Hotel Circle Place Bikeway), no new sites have been recorded in the vicinity which would invalidate the analysis conducted by City staff or the archaeological consultant. See also Response to Comment 5 below.
- 4. Comment acknowledged. The Old Town Burn Ash site was identified by City Staff during a routine inspection of an existing burn ash site. Specific information regarding the location of the burn ash site was provided to the archaeological consultant by City staff for the purposes of determining whether the proposed project would impact the site area. The site has not been formally recorded with SCIC. City staff will follow-up with recordation of the burn ash site which is a separate action from the current project.
- 5. According to the construction documents, the proposed alignment is located approximately 12 feet north of the centerline for Taylor Street and approximately 45-90 feet (narrowest to widest point) from the City's Right-of-Way at the base of Presidio Hill. The 30"x 30" proposed jacking pits for the project are located approximately 16-24 feet west of the centerline for Taylor Street and 70-90 feet from the City ROW at the base of Presidio Hill. Micro-tunneling in the area of Presidio Hill would be at a depth of approximately 30 feet. The potential for tunneling activities to result in vibrations causing slope failure would not occur based on the depth of the alignment and distance from the base of Presidio Hill. Figure 1-6 from the cultural resources report has been recopied and attached as requested.

Subsequent to the winter 2005 rains, the City Park & Recreation Department contracted with Leighton Consulting, Inc. to conduct a limited geotechnical evaluation of the Taylor Street bluff relative to the north wing archaeological site and Serra Museum building within Presidio Park. The Leighton report concluded that the major factor influencing the bluff stability and risk include the presence of existing failures, a veneer of loose surficial soils, vegetation, drainage, and the close proximity of improvements at the bluff top and toe. The report further concluded that significant rainfall would result in future slope failures that would likely impact the Marston Wall and adjacent walkway, the existing guardrail, and Taylor Street below.

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report, which covers that portion of the project alignment, is defective in the copy sent to SDCAS. It was photocopied without being unfolded.

5. Due to the sensitivity of the sites along the project alignment, it should be emphasized that archaeological monitors are to be present at all times that excavation is underway. In other words, if the monitor has to leave the excavation site for any reason, excavation in all areas must stop. This may well require multiple monitors, and definitely will require closer than usual oversight by the City.

6. We stiggest that the project archaeologist for the monitoring determine the present location of the collections from previous archaeological investigations along the project alignment, both for her/his own research purposes and to include in the monitoring report for the current project.

mointoining report for the entrem project.

Thank you for providing these documents to SDCAS and including us in the public review of this project.

Sincerely.

James W. Royle, Ir., Chairpenson Environmental Review Committee

cc: Harris Archaeological Consultant **
SDCAS President
File

5. (continued from previous page) In addition, according to the geotechnical evaluation, the factor of safety of the bluff which includes the Serra Museum and North Wing archaeological site is below the currently accepted factor of safety for new construction. Additional failures of the bluff face would cause additional concern. Therefore, based on the above conclusions, the Leighton Report recommended the following conceptual slope stabilization measures to the City Park and Recreation Department: 1) catchment wall at bluff toes; 2) stabilization of the bluff face; and/or 3) stabilization of the bluff top. Although these recommended measures are presented here in response to comments, implementation of them is not the responsibility of the proposed project applicant. It should be noted however, that the Park and Recreation Department is currently in the process of pursuing funding sources in order to implement the recommended slope stabilization measures presented above.

- 6. Comment acknowledged. The Preconstruction Meeting section of the Mitigation, Monitoring and Reporting Program provides a mechanism for the Principal Investigator (PI) to identify areas within the project alignment that will require monitoring. This determination will be based on a site specific record search and any other factors such as proximity to a high sensitivity area. Additionally, the PI will have the ability to request a modification to the monitoring program which may reduce or increase the monitoring along a particular segment of the alignment. The request must be based on relevant information and would be reviewed by qualified staff before any modifications to the program are allowed.
- Comment noted. This information will be conveyed to the Principal Investigator for the
 consulting firm that ultimately conducts the monitoring program.

From:

DSDEAS DSDEAS

To: Shearer-Nguyen, Elizabeth

Date:

9/13/2005 9:04:21 AM

Subject:

Fwd: MND for the South Mission Valley Trunk Sewer

>>> "Jamle Cleland" <ClelandJ@edaw.com> 09/09/05 2:25 PM >>> I believe I was sent this document for review due to my position on the San Diego Presidio Park Council (SDPPC). I have reviewed the document as a professional archaeologist with over 25 years of experience in conducting historical resource impact studies under CEQA. My comments are my own and do not necessarily reflect the views of the SDPPC or my employer.

- 1. I believe the document does not provide enough information for a member of the interested public to understand why the identified impacts are mitigated below the threshold of significance.
- 2. Specifically, the document identifies direct or indirect impacts to four recorded historical resource sites, but it does not disclose any information about the qualities that might make three of these sites. significant. The MND states that an Archaeological Data Recovery Program will be implemented but gives no specifications as to the extent of work that would be included. Hence, it is impossible to judge whether themitigation is adequate.

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- 3. The MND indicates the potential for encountering historical resources on Taylor Street adjacent to the Royal Presidio site and states that the project is immediately adjacent to site P-37-019194. which is stated to be a Spanish era historic deposit that was encountered during previous pipeline construction on Taylor Street. I would note that Spanish era sites are especially rare and that this site is probably associated with a National Historic Landmark (the highest level of significance recognized within the U.S.I. Accordingly. it should be afforded a high level of significance within the planning process.
- 4. The proposed mitigation on Taylor Street appears to be to monitor boring tailings in this vicinity. I question that boring in this location is the appropriate construction technique, given the potential signficance of the resources there. When a project could impact a highly significant resource that is known to exist prior to construction, either the resource should be avoided or preconstruction archaeological testing and/or data recovery should be implemented.
- 5. Even with preconstruction miligation, if an impact to a site of NHL significance would to occur. I would question whether the mitigation is adequate to reduce the impact to below the CEQA significance threshold.
- 6. The City should reconsider its project design in the Taylor Street

Thank you for the opportunity to comment,

Response to Jamie Clejand letter for the South Mission Valley Trunk Sewer Project Project No. 22528

- It is unclear from this comment what information is lacking to indicate that potential impacts to archaeological resources could not be mitigated to below a level of significance in accordance with CEQA, the City's Historical Resources Regulation and Historical Resources Guidelines.
- The Cultural Resources Study prepared by Nina Harris included more details about the archaeological sites that could be encountered during construction of the proposed project. However, a brief description of each site in proximity to the proposed alignment is provided below as requested. P-37-019194 is the location of a significant historic deposit that was encountered during pipeline trenching for a sewer alignment along Taylor Street. As a result of that discovery, the existing connection was capped, the trench backfilled and the remaining portion of the site preserved below the street. The planned pipeline project along Taylor Street was not completed in this area. Site SDI-11055 is known as the Texas Street type site and has six loci of which four (B. C. D and E) are located adjacent to the east end of the project. The site loci are described on the site form as having "soils/fire cracked rock" and no associated artifacts. SDI-14152 is a prehistoric shell scatter known as the Heron Site and was tested and recorded in 1996 by ASM Affiliates, Inc. The site was encountered 10 feet beneath the surface during construction grading and is noted on the site form to be located with the Village of Cosoy, See Response to Comment No. 1 above for additional information regarding SDI-4675.
- Comment acknowledged. Monitoring is required for the majority of the project alignment. Also see Response to Comment No. 4 which addresses the distance of the proposed jacking pits and tunneling beneath Taylor Street with respect to the San Diego Presidio Archaeological site.
- An Archaeological Data Recovery Program (ADRP), as detailed on Page 10 in Section V-Mitigation, Monitoring and Reporting Program of the MND is required at the planned manhole locations along Taylor Street in the area of Site P-37-019194. The ADRP involves the hand excavation of one test unit at the planned manhole locations along Taylor Street (below Presidio Park)in ten centimeter levels, and screening of all materials through standard eighth-inch mesh. Should resources be encountered during the ADRP, all work would be diverted from the discovery area, evaluated for significance and additional measures implemented to reduce further impacts to below a level of significance. City Archaeological staff is confident that the ADRP is adequate mitigation to reduce potential impacts to historical resources in accordance with City regulations and CEOA.

Response to Jamie Cleiaud letter for the South Mission Valley Trunk Sewer Project Project No. 22528

- 12. Although the remaining portion of P-37-019194 beneath Taylor Street is considered significant pursuant to CEQA and City regulations, it is not included within the National Historic Landmark (NHL) boundaries established for the Presidio Archaeological site as defined by the National Park Service. In order for the NHL boundary to be expanded to include P-37-019194 additional research and documentation would be required. That effort is not a part of the proposed trunk sewer project. However, should new information be obtained as a result of the ADRP in this area, City staff will consult with NPS regarding expansion of the NHL boundary.
- 13. Comment noted. The proposed trunk sewer project originally called for open trenching a minimum of 20 feet below Taylor Street in the vicinity of P-37-019194. However, after consultation with City archaeological staff an alternative construction method was employed and the project redesigned to avoid direct impacts to the archaeological site. The redesigned western terminus remains adjacent to P-37-019194, but the trunk sewer pipelines will now be installed using a tunneling method that would place the pipes at a depth of 20 feet below surface in order to avoid subsurface archaeological resources. In addition, please refer to Response to Comment No. 4 which describes the distance of the tunneling operation from the City public Right-of-Way and the base of Presidio Hill.

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DEPA TIMENT O District 1. 1829 Juan Street P. O. BOX 85-...5, M.S. 50 San Diego, CA 92110-2799 PHONE (619) 688-6954 FAX (619) 688-4299

ANSPORTATION



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September 22, 2005

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PM var.

Ms. Elizabeth Shearer-Nguyen City of San Diego Development Services Dept. 1222 First Ave., MS-501 San Diego, CA 92101-4155

RE: South Mission Valley Trunk Sever - MND (SCH 2005081140)

To Ms. Shearer-Nguyen:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Mitigated Negative Declaration (MND) for the South Mission Valley Trunk Sewer project, which passes along Interstate 8 (I-8) through Mission Valley crossing Interstates 15, 805, and 5 (I-15, I-805, & I-5) as well as State Route 163 (SR-163). We have the following comments.

Any work performed within Caltrans Right of Way (R/W) will require an encroachment permit. Improvement plans for construction within Caltrans R/W must include: typical cross sections, adequate structural section, traffic handling plans, and signing and striping plans stamped by a professional engineer. Also, for those portions of the project within the Department's R/W, the permit application must be stated in both English and Metric units (Metric first, with English in parentheses). Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.

Furthermore, any work or improvements within Caltrans R/W must be included in the project's environmental studies. The developer is responsible for quantifying environmental impacts of the improvements (project level analysis) and completing all appropriate mitigation measures for those impacts. The indirect effects of any mitigation within Caltrans R/W must also be addressed. The developer is responsible for procuring any necessary permits or approvals for improvements from the appropriate regulatory / resource agencies.

Prior to or concurrent with the encroachment permit application, the applicant will need to provide a detailed, typical cross-section of the proposed trench(es). Excavations deeper than two feet (2') within Caltrans R/W must be protected with temporary K-railing. Appropriate crash cushions must protect the exposed end of the temporary K-railing which faces

"Calirans improves mobility across California"

Response to Department of Transportation letter for the South Mission Valley Trunk Sewer Project Project No. 21528

4. Comment noted. A copy of the letter has been forwarded to the applicant Department in order for them to complete the encroachment permit process through Caltrans. The segments of the alignment crossing Interstate 8 will be constructed by micro-tunneling. All environmental issues associated with this construction technique have been addressed within the MND. In addition, applicant is required to implement a traffic control plan in accordance with the contract documents and specifications.

Ms. Elizabeth Shearer-Nguyen September 22, 2005 Page 2.

oncoming traffic. Refer to the Caltrans Standard Plans July 1999 edition and the Caltrans Standard Plans July 1999 Erratum No. 99-1 edition, sheets T1-T5. All trenches and excavations must be back-filled or steel plated outside the working hours to restore traffic to normal conditions. The general work area must be kept clean and hazard-free during construction. All excavated materials must be well contained.

All work proposed within Caltrans R/W requires lane and shoulder closure charts. Request the charts from the District Traffic Manager, Camille Abou-Fadel, at (858) 467-4328. Refer to the State of California, Department of Transportation, Standard Plans, July 2000, sheets T10-T14. All roadway features (e.g., signs, pavement delineation, roadway surface, etc.) within Caltrans R/W must be protected, maintained in a temporary condition, and/or restored.

Traffic Control Plans are required for a complete review prior to construction. The plans shall be in accordance with the Department's Manual of Traffic Controls for Construction and Maintenance Work Zones [1996 (rev. 2) edition]. Traffic restrictions and pedestrian / bicycle detours may also need to be addressed. Caltrans District 11 Utilities Branch should also review the proposed project.

Thank you for the opportunity to review this project proposal. If you have questions regarding the Department's comments, please contact Brent McDonald at (619) 688-6819.

Sincerely,

MARIO H. ORSO, Chief Development Review Branch

> cc: BMcDonald Planning MS-50 EGojuangco Traffic Ops MS-55 JMarkey Permits MS-44

SMorgan State ClearingHouse (SCH)

"Caltrans improves mobility across California

14. continued

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From:

"Randy Berkman" <irb223@hotmail.com>

To: Date: <DSDEAS@sandiego.gov> 9/11/2005 11:56:59 AM

Subject:

Project No. 22528/SCH No. pending

Mission Valley SEWER LINE extension Milligated Negative Declaration

I recall commenting on this project's prior MND. Please reprint my comments along with City reoftes.

15.

16.

17.

Who recommended recirculating the MND and why?

My main concern is wildlife protection and appreciate that issue is being

To avoid threatened or endangered species impacts, why not simply avoid construction during their nesting seasons?

As has been stated previously by myself and the USD Environmental Law Clinic, using an averaging of hourly decibets (as proposed) does not really protect birds from predators. Wildlife biologists have stated that predators may prey on endangered species if noise is high enough to block out their warnings to each other. In other words, a potential significant Impact has NOT been mitigated.

The 60 dbl. average hourly warning would allow massive impacts for part of an hour as long as the average hourly output of noise was 60 dbl (attainable by stopping construction for part of the hour). Such "miligation" is Inadequate because it does not really protect from noises 100 dbl or higher! Even noise walls would probably not reduce such noises to below significant because jackhammers (would they be used?) are annoyingly audible even in buildings with windows closed-which is almost certainly more insulation than a noise wall.

In other words, what would the expected habitat noise of a jackhammer be even with a noise wall in place?

Randy Berkman

CC: <peugh@cox.net>

Response to Randy Berkman letter for the South Mission Valley Trunk Sewer Project Project No. 22528

This is the first time the MND for this project has been distributed for public review. 15. Staff is uncertain what previous project and/or comments are being referred to.

As stated in response number 14, this is the first time the MND for this project has been N circulated for public review.

- The mitigation measures within the MND are written to provide the applicant department with the option to either construct outside for the breeding season (with no noise mitigation requirements) or within the breeding season (requiring compliance with the noise mitigation).
- 18. The biological noise mitigation measures were developed in coordination with the California Department of Fish and Game and the U.S. Fish and Wildlife Service pursuant to the 1997 Implementing Agreement between the City of San Diego and those agencies. The noise mitigation measures outlined within the Mitigated Negative Declaration would be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service and is consistent with management directives for covered species developed in the City of Sau Diego Multiple Species Conservation Program Subarea Plan and the City's Biological Guidelines.

The Mitigated Negative Declaration states that no clearing, grubbing, grading, or other construction activities shall occur during the breeding seasons for the Coastal California gnatcatcher (between March 1 through August 15), Least Bell's Vireo (between March 15 through September 15), and the southwestern Willow Flycatcher (between May 1 and September 1) until certain requirement have been met to the City's satisfaction. A qualified biologist shall conduct a survey in those areas subject to noise levels exceeding 60dBA hourly average. Should it be determined that the aforementioned avian species are present, then the applicant will be required to implement attenuation measures that would ensure that noise levels do not exceed the 60 dBA hourly at he edge of the habitat. Additionally, the applicant would be required to have an acquisition (approved by the City) conduct an analysis two days per week showing that the construction activities are not exceeding the 60 dBA hourly average.

With respect to raptors, should the site support nests and nesting raptors (between February 1 through September 15) during construction activities, compliance with the Migratory Bird Treaty Act would preclude potential for direct impacts. The applicant would be required to conduct preconstruction surveys to determine presence of active raptor nests within the development area during the breeding season and if active nests are detected, the biologist in consultation with EAS staff shall establish a species appropriate noise buffer zone in order to preclude any indirect noise impacts.

City of San Diego DEVELOPMENT SERVICES DEPARTMENT LAND DEVELOPMENT REVIEW DIVISION 1222 First Avenue, Mail Station 501 San Diego, CA 92101 (619) 446-5460

> INITIAL STUDY Project No. 22528 SCH No. *Pending*

SUBJECT:

South Mission Valley Trunk Sewer: COUNCIL APPROVAL of Capital Improvement Project No. 40931.0 for the replacement and new construction of approximately 21,182 lineal feet (LF) and the abandonment of 12,830 LF of existing trunk sewers and sewer main. Scope of work also includes associated improvements such as laterals, manholes, and related improvements within portions of Taylor Street, under Interstate 8, Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163, Camino del Rio South, under Interstate 805, Mission Center Drive, Interstate Route 5, Camino de la Reina, Camino del Rio North, Camino del Arroyo, and under State Rout 15. The project is located within the Mission Valley Community planning area of the City and County of San Diego, California. Applicant: City of San Diego, Engineering and Capital Projects Department, Water & Sewer Design Division

UPDATE: Minor revisions to this document have been made when compared to the draft Mitigated Negative Declaration. The changes do not affect the environmental analysis or conclusions of this document. All revisions are shown in a strikethrough and/or underline format.

I. PURPOSE AND MAIN FEATURES:

The proposed Capital Improvement Project (CIP No. 40931.0), is subject to City Council approval for the replacement and new construction of approximately 21,182 lineal feet (LF) and abandonment of approximately 12,830 LF of existing trunk sewers and sewer main. Scope of work also includes associated improvements such as laterals, manholes, and related improvements within portions of Taylor Street, under Interstate 8, Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163, Camino del Rio South, under Interstate 805, Mission Center Drive, Interstate Route 5, Camino de la Reina, Carnino del Rio North, Camino del Arroyo, and under State Rout 15. Pipes would be replaced utilizing open trench construction and trenchless technologies such as jack and bore and micro-tunneling. In some areas the trenching would be deeper than the existing lines and in some areas lines would be

replaced-in place. The replaced sewer mains would be eight and ten inches in diameter with the new trunk sewer being 24, 36, and 42 inches in diameter. Trench widths would vary from three feet to fifteen feet depending on the size of the pipe to be installed. The replacement sewer main would be approximately 10, 24, 36, and 42 inches in diameter.

During the construction phase of the project, it is estimated that work hours would be between 8:30 a.m. and 3:30 p.m., Monday through Friday. The contractor would comply with the requirements in the Standard Specifications for Public Works Construction. Construction materials would be stored in the related streets as work progresses. A traffic control plan would be prepared and implemented in accordance with the City of San Diego Standard Drawings Manual of Traffic Control for Construction and Maintenance Work Zones.

II. ENVIRONMENTAL SETTING:

The project area is located north of Hotel Circle South, east of Interstate 5, west of Mission Center Road and south of Friars Road within the Mission Valley Community planning area (Figure 1). Topography of the area is relatively flat, with surface elevation ranging from approximately 10 feet above mean sea level in the west to approximately 50 feet above MSL in the east. The surrounding land uses in the vicinity of the project include residential, commercial and office uses. The project would be located within the street rights-of-way. The abandonment portion of the project is within the San Diego River area which is located within the City of San Diego's Multi-Habitat Planning Area (MHPA).

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

The project files and reports referred to below are available for public review on the Fifth Floor of the Development Services Department, Land Development Review Division, 1222 First Avenue, San Diego, CA 92101.

During the environmental review of the project, it was determined that construction could potentially result in significant but mitigable impacts in the following area(s).

BIOLOGICAL RESOURCES

As previously discussed within the Project Description section, the project proposes the replacement of approximately 21,182 LF and the abandonment of 12,830 LF of existing trunk sewers and sewer main. Approximately 3,204 LF of abandonment work would

occur within the San Diego River area. The sewer line was realigned in the final design to be located south of Interstate 8, therefore not impacting sensitive vegetation.

A biological report was prepared by HDR, dated June 2003, in order to assess the vegetation communities and identify potential biological impacts of the proposed project. The biological reconnaissance was conducted to evaluate the potential biological and jurisdictional constraints of the South Mission Valley Trunk Sewer replacement project. The study area includes portions of the San Diego River and upland areas including roads, road shoulders, parking lots, and areas with ornamental vegetation. The project site lies within the boundaries of the City's Multiple Species Conservation Plan (MSCP) Subarea, and the majority of the project is mapped as being developed and other portions are mapped as open space (Presido Park and the San Diego River). In addition, a portion of the abandonment would take place within the San Diego River area which is located within the Multi-Habitat Planning Area (MHPA).

The project area includes eight habitat types. Wetlands habitats include approximately 21.6 acres of Southern Riparian Scrub (which includes mule fat scrub and southern cottonwood riparian forest) and 3.19 acres of open water/stream course. Upland habitats within the project area include approximately 0.51 acre of coastal sage scrub, 0.09 acre of non-native annual grassland, 2.91 acres of eucalyptus woodland, and 0.36 acre of ruderal. Other habitats mapped within the project area are approximately 4.7 acres of ornamentals and 93.88 acres of developed lands.

A portion of the existing line that would be abandoned, approximately 2,649 LF of a 30-inch line and approximately 555 LF of a 12-inch sewer line, is located within the San Diego River riparian area which is within the City of San Diego's MHPA. The abandonment work in the sensitive biological area would be accessed and conducted from an existing eight-foot wide access road. The concrete slurry would be brought to the manholes by hose with the concrete trucks parking outside of the environmentally sensitive area of the San Diego River. The selected manholes would then be filled with sand and the covers welded closed.

Because of the project's proximity to and within the MHPA, the project would be required to compliance with the MSCP in accordance with the General Planning Policies and Design Guidelines (Section 1.4.2) and the Land Use Adjacency Guidelines (Section 1.4.3) if the City of San Diego MSCP Subarea Plan (March 1997). The specific measures the project would take to be in compliance with these guidelines is discussed below in the Land Use – MSCP discussion.

Although California gnatcatchers, least Bell's vireo, and the southwestern willow flycatcher have not been detected on-site, if construction is scheduled to take place

adjacent to the MHPA during the breeding season, a biologist would be required to conduct protocol surveys to determine the presence and/or absence of these species prior to construction. If the survey is negative, no further mitigation would be required. If the survey is positive, mitigation in the form of temporary noise barriers would be required. In addition, project construction would not result in drainage and/or toxics being released within the MHPA. All staging areas would be located in either developed areas or street rights-of-way.

In addition, the eucalyptus woodland habitat has the potential to be utilized by raptors for perching and/or nesting sites. Direct impacts to nesting raptors would be avoided through compliance with the Migratory Bird Treaty Act. Noise impacts to nesting raptors would be avoided during the breeding season through preconstruction surveys and adherence to appropriate noise buffer zone restrictions.

Based upon the proposal and the required compliance with biological resources mitigation measures contained in Section V of the MND, the proposal has been found consistent with the MHPA land use adjacency guidelines of the City of San Diego MSCP Subarea Plan and all impacts would reduced to below a level of significance.

HISTORICAL RESOURCES (ARCHAEOLOGY)

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City's Historical Resources Sensitivity Maps. In addition, several previously recorded historic and prehistoric sites have been identified in the project vicinity. Based on this information, a review by City staff of archaeological maps in the Land Development Review Resources Library indicated that archaeological resources have been identified in the vicinity of the proposed project site. In addition, a portion of the project site is located within the San Diego River area and has a high potential for historical resources. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project. In addition, within the construction corridor, several sections of new trenching for sewer main would have the potential to impact historical resources by excavating in previously undisturbed soils.

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. CEQA requires that before approving discretionary projects the Lead Agency

must identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities which would impair historical significance (Sections 15064.5(b)(1) and 5020.1). Any historical resource listed in or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

Because of the potential for historical resources to be impacted with implementation of the project an archaeological survey was conducted and a report completed by Harris Archaeological Consultant (June 2003). The archaeological report included archival records search for the proposed project alignment and immediate vicinity from the South Coastal Information Center (SCIC) at San Diego State University, and completion of a pedestrian field survey of the project alignment. The report is summarized below.

According to the report summary, several sites are identified within or adjacent to the project alignment (CA-SDI-4675, CA-SDI-11055, P-37-019194, and CA-SDI-14152) and three new sites were recorded during the field survey (CA-SDI-16288, -16289, and -16290). However, subsequent redesign of the alignment now avoids direct impacts to CA-SDI-16288, -16289, and -16290. The Old Town Burn Ash site and several potentially historic palm trees are located in the vicinity of the existing access path, west of the Presidio ball fields, and south of the San Diego River. However, this portion of the alignment would be abandoned by using trenchless technology (i.e. slurry seal through existing manholes). Therefore, no direct impacts to existing historical resources would occur.

The project proposes a combination of open trenching, jack and boring, and microtunneling along with the excavation for new manholes, which could result in direct and/or indirect impacts to the following recorded sites (CA-SDI-11055, P-37-019194, CA-SDI-14152, and 4675). The project would also abandon sections of the existing main line through trenchless technology.

For portions of the project alignment in the vicinity of sites SDI-4675, -11055, and -14152 monitoring is required during all construction activities (i.e. open trenching, jacking pits, excavation for manholes, lateral connections, etc.) in accordance with the MMRP conditions identified within Section V of the MND.

One segment of the proposed project alignment located along Taylor Street would involve the excavation of deep jacking pits to allow for tunneling (i.e. boring) and installation of new sewer mains and manholes which could result in impacts to significant historical resources. This segment, which would be constructed entirely within the paved public right-of-way at a depth of 20 feet below grade, is located immediately adjacent to the boundaries of site P-37-019194 and below the mapped boundaries of the San Diego Royal Presidio (CA-SDI-38), a National Historic Landmark. In addition, the Native American village of Cosoy was also located in an area just below Presidio Hill. However, its exact boundaries are unconfirmed.

Historic site P-37-019194, which was encountered during open trenching for Sewer and Water Group Job 530A, resulted in the discovery of a Spanish era historic deposit and adobe floor directly related to the San Diego Presidio. Data recovery was completed in accordance with the City's Historical Resources Guidelines (April 2001) and construction of the pipeline was terminated in this area.

The San Diego Presidio is the site of the first Spanish outpost in Alta California. This tiny fort set the standard for subsequent colonization throughout California. The Presidio commemorates two important events: the founding of the first permanent European settlement of the Pacific Coast of what is now the United States and the establishment of the first mission in California in 1769. Five years later, the mission was relocated to its present site in Mission Valley, and the outpost was granted the status of a Royal Presidio. The population of the Royal Presidio was made up of a diverse array of civilians and military personnel, sheltering more than five hundred inhabitants. The Royal Presidio continued to serve as both an administrative and judicial center and as a military outpost for the region, until falling into a sharp decline in 1830. In 1835, the Presidio was abandoned. No other site in California has preserved so well the details of daily living during this period as the remains from the Presidio. Amid the ruins of more than two hundred rooms can be found hundreds of thousands of artifacts that were left behind by the people who lived in San Diego in the nearly forgotten era. Today, the ruins of the adobe citadel and town are protected as part of Presidio Park. It remains one of the most important, and best preserved, Spanish colonial sites in the western United States (EDAW, Inc., 1999).

The San Diego Presidio's historical, archaeological, architectural and cultural value has earned it historic designation at the local, state and national level. Therefore, although the project would employ trenchless technology in this area, and direct impacts to historical resources would be reduced, due to the proximity of the project alignment to the Presidio and associated historic site within Taylor Street an Archaeological Data Recovery Program (ADRP) would be required in accordance with the City's Historical Resources Guidelines (April 2001). Because part of the tunneling operation requires the excavation of deep jacking pits and manholes, the ADRP would utilize these locations to excavate 1x1 meter units along this segment of Taylor Street. In addition, because this portion of

the project does not require open trenching, it was determined that monitoring of the tailings from the tunneling operation would be an appropriate cautionary mitigation measure to reduce potential direct and indirect impacts.

Should historical resources be encountered during any phase of the construction monitoring activities, work would be stopped and the qualified archaeologist would be required to implement an ADRP in consultation with MMC staff. Therefore, implementation of the archaeological monitoring program identified in Section V of the Mitigated Negative Declaration, would reduce potential historical resource impacts to below a level of significance.

LAND USE - MULTIPLE SPECIES CONSERVATION PROGRAM (MSCP) -

Portions of the proposed realignment project are either located adjacent to or within the Multi-Habitat Planning Area (MHPA) of the City of San Diego MSCP Subarea. The proposed project would be required to comply with the MHPA Land Use Considerations, General Planning Policies and Design Guidelines (Section 1.4) and the Land Use Adjacency Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan. The proposed project would be consistent with compatible land uses as referenced in Section 1.4.1 and 1.4.2 of the MSCP Subarea Plan. However, since a portion of the project is located within the MHPA, the applicant would be required to conform to MSCP's Land Use Adjacency Guidelines. More specifically, all proposed lighting adjacent to the MHPA, as well as open-space areas, would be directed away from these areas, and shielded if necessary. Drainage must be directed away from the MHPA or open-space, or must not drain directly into these areas. No staging/storage areas would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. In addition, the limits of grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those areas clearly delineated. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V. of the Mitigate Negative Declaration would mitigate potential significant indirect land use impacts to a level below significance.

PALEONTOLOGICAL RESOURCES

According to the "Geology of the San Diego Metropolitan Area, California, La Mesa, 7^{1/2} Minute Quadrangle (Kennedy and Peterson, 1975), the majority of the project area is underlain by Alluvium/Slopewash, Pomerado Conglomerate, and the Mission Valley Formation. With respect to fossil resource potential, Alluvium/Slopewash has a low sensitivity level and monitoring would not be required. Pomerado Conglomerate is categorized as having a moderate sensitivity level; whereas the Mission Valley Formation is categorized as having a high sensitivity level for paleontological resources.

The Pomerado Conglomerate is the uppermost formation of the Poway Group. The formation is divisible into three members, lower conglomerate member, a middle sandstone member, and an upper conglomerate member. The lower member gradationally overlies the Mission Valley Formation. The lower and middle members are significantly older than the upper member, Late middle Eocene in age. The lower member has produced remains of fossil terrestrial mammals including insectivores, primates, rodents, and protoreodonts.

The marine strata of the Mission Valley Formation have produced abundant and generally well-preserved remains of marine micro-fossils, macro-invertebrates, and vertebrates. Fluvial strata of the Mission Valley Formation have produced well-preserved examples of petrified wood and fairly large and diverse assemblages of fossil land mammals including opossums, insectivores, bats, primates, rodents, artiodactyls, and perissodactyls. The co-occurrence in the Mission Valley Formation of land mammal assemblages with assemblages of marine micro-fossils, mollusks, and invertebrates is extremely important as it allows for the direct correlation of terrestrial and marine fauna time scales. The Mission Valley Formation represents one of the few instances in North America where such comparisons are possible.

The project would require trenching depths ranging from approximately fifteen to twenty-five feet which could potentially impact paleontological resources. Disturbance or loss of fossils without adequate documentation and research would be considered a significant environmental impact. Therefore, a Mitigation, Monitoring and Reporting Program as detailed in Section V of the MND would be implemented. The program would require that a qualified Paleontologist or Paleontological Monitor be present during all excavations that exceed ten feet in depth and that could impact previously undisturbed formations. Should paleontological resources be discovered, a recovery and documentation program would be implemented. Monitoring would not be required along any portions of the alignment where the pipeline is being replaced in-place (same depth) or in those areas having a low sensitivity level for resources. With implementation of the Mitigation, Monitoring and Reporting Program, impacts to paleontological resources would be reduced to below a level of significance.

The following environmental issue(s) (Water Quality) were considered in depth during review of the project. No significant impacts were identified.

WATER QUALITY

Due to the majority of the proposed facilities being located underground there would not be a permanent modification to area topography or to existing drainage patterns. However, all

phases of the construction activities would increase the risk of storm water runoff, erosion, and associated sedimentation. This would potentially cause adverse impacts to occur on water quality due to storm water runoff. However, implementation of Best Management Practices (BMPs) pursuant to the City Storm Water and Drainage Ordinance would prevent significant impacts to downstream water bodies from occurring. BMPs would include both erosion control measures to prevent rainfall from contacting exposed soil surfaces, and sediment control measures to prevent eroded material from leaving the construction area. The construction manager/resident engineer and contractor would be responsible for the monitoring and maintenance of BMPs to ensure that they are working properly, until the construction area has been permanently stabilized.

V. RECOMMENDATION:

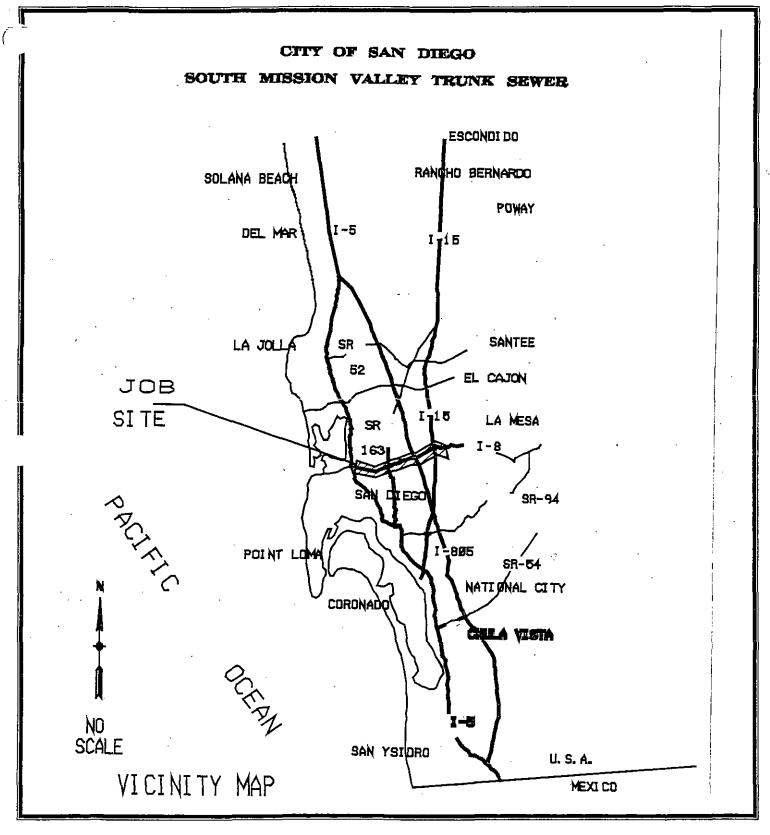
On the basis of this initial evaluation:

- The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: SHEARER-NGUYEN

Attachments:

Initial Study Checklist Figure 1 - Vicinity Map Figure 2 - Site Map



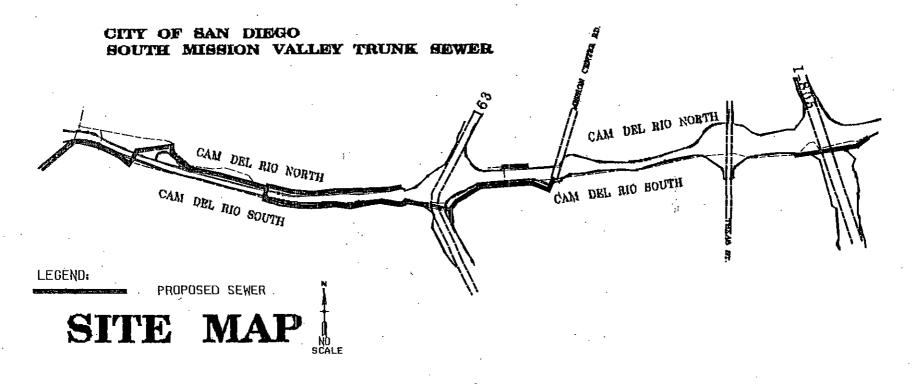
South Mission Valley Trunk Sewer



Vicinity Map

Environmental Analysis Section Project No. 22528 CITY OF SAN DIEGO · DEVELOPMENT SERVICES Figure

1





Site Map

Environmental Analysis Section - Project No. 22528 CITY OF SAN DIEGO · DEVELOPMENT SERVICES Figure

2

Initial Study Checklist

January 9, 2003

Date: "

			Project No.:	22528		•
			Name of Project:	SOUTH N TRUNK S	Aission V Ewer	ALLEY
III. EN	VVI	RONMENTAL ANALYSIS:				
which Guide the ba or Mit enviro projec potent	cou line sis t igat igat nmo t ma	ose of the Initial Study is to identify all be associated with a project pursues. In addition, the Initial Study proved or deciding whether to prepare an Example of Negative Declaration. This Cheental assessment. However, subsequently mitigate adverse impacts. All answer or significant environmental impact faitial Study.	tiant to Section 15062 rides the lead agency nvironmental Impact cklist provides a mea- tient to this preliminal swers of "yes" and "n	of the Stawith infor Report, Nons to faciling ry review, naybe" ind	ate CEQA mation wh legative De tate early modificati licate that t	ich forms eclaration ons to the here is a
	•	·		<u>Yes</u>	<u>Maybe</u>	<u>No</u>
[,	Α	ESTHETICS / NEIGHBORHOOD (CHARACTER – Wil	the propo	sal result i	ņ:
	A.	The obstruction of any vista or sce view from a public viewing area? The project would not result in the of any public view or scenic vista. would be underground, beneath the road system.	obstruction The project	-		X
	B.	The creation of a negative aesthetic See I-A.	site or project?	_	_	X
	C.	Project bulk, scale, materials, or stybe incompatible with surrounding of See I-A.			_	<u>X</u>
	hich couluidelines e basis for Mitigate evironmen oject may otential for AES A. B. C. D.	Substantial alteration to the existing the area? See I-A.	g character of	· —		X
	E.	The loss of any distinctive or landnestand of mature trees? No distinctive or landmark trees we removed.	. , ,	_	_	<u>X</u>

	surface relief features? The project would not permanently alter the existing topography or affect present ground surface relief features.	· <u> </u>	-	X
	G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? The project site does not contain any unique geologic or physical features.	_	_	X
	H. Substantial light or glare? <u>See I-A.</u>	- .	_	X
	I. Substantial shading of other properties? <u>See I-A.</u>			X
П.	AGRICULTURE RESOURCES / NATURAL RESOURCE RESOURCES – Would the proposal result in: A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state? The project site is located within a developed urbanized neighborhood.	ES / MINE	RAL .	X
	B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? Agricultural land is not present within the proposed alignment or in the general site vicinity. See II-A.		_	X
III.	AIR QUALITY – Would the proposal: A. Conflict with or obstruct implementation of the applicable air quality plan? The project would comply with construction standards which prevent conflict with or obstruction of any air quality plans.	- -	-	X

7000507		Yes	<u>Maybe</u>	<u>No</u>
В	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? The project would not result in substantial air emissions. See I-A.			X
C.	Expose sensitive receptors to substantial pollutant concentrations? Please see III-B.			X
D.	Create objectionable odors affecting a substantial number of people? Potential odors from construction machinery would occur temporarily during construction only.	-	_	X
E.	Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>Dust would be generated temporarily during construction only and would be controlled with standard construction practices. See III-A.</u>	_	. -	<u>X</u>
F.	Alter air movement in the area of the project? No such impact would occur. See III-A.	_	_	X
G.	Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? The project consists of underground pipelines and would have no such impacts.		 _	X
IV. BI	OLOGY – Would the proposal result in:	`.		
A.	A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? The project would occur entirely within the existing street right-of-way which does not support any biological resources. A portion of the alignment to be abandoned is within the San	<u> </u>	_	X
	Diego River area. However, the abandonment will occur utilizing trenchless technology.			
4.5	Refer to Initial Study Discussion.			
В.	A substantial change in the diversity of any species of animals or plants? As stated above, the project would occur within existing streets right-of-way, therefore such	. .	_	X

V.

000 5 9	9	<u>Yes</u>	<u>Mavbe</u>	<u>No</u>
	The proposed utility pipe replacemen would not result in the use of excession of fuel, energy, or power.	 		
	B. Result in the use of excessive amount Please see V-A.	s of power?	—	X
VI.	GEOLOGY/SOILS – Would the proposa	1:		
	A. Expose people or property to geological as earthquakes, landslides, mudslides failure, or similar hazards? The project would replace a sewer may existing rights-of-way using jack and micro-tunneling and open-trench met construction. Utilization of generally engineering techniques would prevent from geologic hazards.	ground ain within boring, hod of accepted	- ·	<u>X</u>
	B. Result in a substantial increase in wir erosion of soils, either on or off the si See VI-A.	•	- .	X
·	C. Be located on a geologic unit or soil to or that would become unstable as a reproject, and potentially result in one landslide, lateral spreading, subsident or collapse? The project site is located within Ha Categories 31, 32, and 53 per the City Diego Safety Seismic Study Maps. Upof generally accepted engineering tect would prevent impacts from geologic	esult of the cor off-site ce, liquefaction zard of San Stilization hniques	_	<u>X</u>
VII.	HISTORICAL RESOURCES - Would th	ne proposal result in:		
·	A. Alteration of or the destruction of a problem historic archaeological site? The project is located in an area known a high potential for archaeological results Data recovery in the Taylor Street Powould be required. Monitoring in all would be required. Refer to Initial Structure.	on to have cources. ction other areas	X	_

000	51 0		<u>Yes</u>	<u>Mavbe</u>	<u>No</u>
	or h	verse physical or aesthetic effects to a prehistoric historic building, structure, object, or site? For to VII. A.	_	<u>X</u>	_
	arch obje <u>Alt</u> is a	verse physical or aesthetic effects to an nitecturally significant building, structure, or ect? hough no above ground structures are present, there potential to encounter resources during construction vities. See VII-A and -B.		X	_
-	the	y impact to existing religious or sacred uses within potential impact area? VII-A.	_	X	—
,	tho	e disturbance of any human remains, including se interred outside of formal cemeteries? VII-A.	_	X	- .
VIII.	A. Cre mer The and hea	N HEALTH / PUBLIC SAFETY / HAZARDOUS RIALS: Would the proposal: ate any known health hazard (excluding ntal health)? project consists of underground pipelines would have no such impacts. No known ath hazards or contaminated site are located no the proposed trench alignment.	_	· _ · ·	X
	haz of h <u>The</u>	pose people or the environment to a significant and through the routine transport, use or disposal azardous materials? a project consists of underground pipelines would have no such impacts. See VIII. A.	-	-	X
	haz gas <u>.</u> <u>The</u>	ate a future risk of an explosion or the release of ardous substances (including but not limited to , oil, pesticides, chemicals, radiation, or explosives)? exproject consists of underground pipelines would have no such impacts. See VIII. A.	- .	-	X
	with eme <u>The</u> and wor	pair implementation of, or physically interfere than adopted emergency response plan or ergency evacuation plan? exproject consists of underground pipelines would have no such impacts. The project ald not impair or interfere with any adopted ergency plans. See VIII. A		. –	X

٠	E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? The project is not known to be on a list of hazardous materials sites.	-	 .	X
	F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Please see VIII-A. Project involves the upgrading of sewer lines which would prevent sewage spills.	-	_	<u>X</u>
IX.	HYDROLOGY/WATER QUALITY – Would the proposal result in:			
	A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants. The project sewer line replacement would occur entirely within the existing right-of-way and would not impact any body of water. In addition, the project would be required to comply with all storm water quality standards during construction and appropriate Best Management Practices (BMPs) must be utilized.	. -	· -	X
	 B. An increase in impervious surfaces and associated increased runoff? See IX-A. No increase would result. The pipes would be installed in existing paved streets, which would be restored after construction. 	_	-	X
	C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? See IX-A.	_		<u>X</u>
	D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)?		<u>-</u> .	<u>X</u>

511

<u>Yes Maybe No</u>

00	0512	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
ь.	The majority of the project is within paved rights-of-way; however, one segment within he San Diego River would be abandoned utilizing trenchless technology. In addition, the project is required to comply with the City's Storm Water Standards and would preclude any impacts.			
,	 E. A potentially significant adverse impact on ground water quality? No such impact would occur. See IX-A. 	_	· <u>-</u>	X
	F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>See IX-A above.</u>	_	-	X
X.	LAND USE – Would the proposal result in:			
	A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? The project is consistent with the land use designation and applicable policies of the Mission Valley Community Plan.		_	×
T),	B. A conflict with the goals, objectives and recommendations of the community plan in which is located? Please see X-A.	t —	**) —	<u>X</u>
	C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating are environmental effect for the area? The project would not conflict with City's Multiple Species Conservation Plan (MSCP).	n —	· <u>–</u>	<u>X</u>
	D. Physically divide an established community? The project site is located in a developed urban community and surrounded by residential development. The project would not physically divide an established community.	-	_`	X

0051	3	Yes	<u>Mavbe</u>	<u>No</u>
	E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? The project site is not located within the Airport Environs Overlay Zone or the Airport Approach Overlay Zone.		_	X
XI.	NOISE – Would the proposal result in:			
	A. A significant increase in the existing ambient noise levels? The proposed project would operate within the City's allowable noise standards and would not cause a significant increase in ambient noise levels nor would the project cause a significant increase in ambient noise levels.	· <u>-</u>	-	X
	B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? The proposed project is the replacement of sewer lines, which when installed would not expose people to noise levels which exceed the City's adopted noise standards.		. ·	X
	C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? Please see XI-B.	. -	_	X
XII.	PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? The project site is underlain by Mission Valley Formation, Pomerado Conglomerate, and Alluvium/Slopewash which have, respectively, high and moderate, and low sensitivity levels for paleontological resources. Monitoring would be required as the project site may have significant paleontological resources. Refer to the Initial Study Discussion.		X	—

ÜÜÜ	514	<u>Yes</u>	<u>Maybe</u>	No
XIII.	POPULATION AND HOUSING – Would the proposal:	•		
	A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? The sewer replacement project would not alter population demographics.	-	·	X
	 B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No such displacement would occur. 		· 	X
	C. Alter the planned location, distribution, density or growth rate of the population of an area? See XIII.A. and B.	- ,		X
XIV.	PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
	A. Fire protection? <u>Installation of sewer pipelines would not affect</u> <u>existing public services.</u>		<u> </u>	X
	B. Police protection? See XIV.A.	2		X
	C. Schools? See XIV.A.			X
,	D. Parks or other recreational facilities? <u>See XIV.A.</u>	—		X
	E. Maintenance of public facilities, including roads? <u>See XIV.A.</u>	<u> </u>		X
XV.	RECREATIONAL RESOURCES - Would the proposal result	in:		
	A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	_	_	×

000515		<u>Yes</u>	<u>Mavbe</u>	No
	The project is located entirely within the existing right-of-way and would not impact any recreational resources.			
В.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? See XV.A.	_	_	X
	ANSPORTATION/CIRCULATION — Would the proposal ult in:			
A.	Traffic generation in excess of specific/community plan allocation? The project would not generate any additional traffic to the area.	_	—, «·	X
B.	An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? Please see XVI-A.	_	_	X
C.	An increased demand for off-site parking? See XIV.A.	_	· · _ ·	X
D.	Effects on existing parking? No such effects would occur.	.	_	X
∠ E.	Substantial impact upon existing or planned transportation systems? Temporary construction routing would be required but would cause no significant effects. See XIV.A.		_	X
F.	Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? See XIV.A.	_	_	X
G.	Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? The project would comply with the City of San	_	_	X

0005	16		<u>Yes</u>	<u>Maybe</u>	· <u>No</u>
		Control for Construction and Maintenance Work Zones.			
	Н.	A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? Please see XVI-A.	_	-	<u>×</u>
XVII.	sys	FILITIES – Would the proposal result in a need for new stems, or require substantial alterations to existing lities, including:			
	A.	Natural gas? N/A.		<u> </u>	$\frac{\mathbf{X}}{\mathbf{x}}$
	B.	Communications systems? See XVII-A.	_	_	X
1	C.	Water? See XVII A.	_	_	X
	D.	Sewer? The project is the replacement of an existing sewer line.	<u> </u>		X
	Ë.	Storm water drainage? See XVII A.	_	_	<u>X</u>
	F.	Solid waste disposal? See XVII A.	*1	. -	X
XVIII.	. W.	ATER CONSERVATION – Would the proposal result in:			
	A.	Use of excessive amounts of water? The project would not result in the use of excessive amounts of water. No such impact would occur.	.		<u>X</u>
	В.	Landscaping which is predominantly non-drought resistant vegetation? Project is within the existing rights-of way. Landscaping would not be required.	_		X
XIX.	M.	ANDATORY FINDINGS OF SIGNIFICANCE:			
	A.	Does the project have the potential to degrade the quality of the environment, substantially reduce the			

(10052	ð	REQU	EST FOR COL CITY OF SAN		OIT			(FOR AUDITOR'S	101 10/21
CITY ATTORNEY				2. FROM (ORIGINATING D	•		DD O IE CEG		3, DATE:	
. SUBJE				ENGINEERI	NG & CAP	'IIAL	PROJECTS	<u></u>	June 1	8, 2008
. 40D3C		ise'	and Award o	f South Mission	Valley Tn	ınk Se	ewer			
l .			PHONE, & MAIL STA.)	I	ARY CONTACT (N		i	7. CHECK BOX IF RE	PORT TO COUNCIL IS A	TTACHED
M. Gi	bson (619):	533-	5213 MS908A		boa (619) 23		MS 908A [<u> </u>	-	
FUND	Т		41506	41506	4150		T		NAL INFORMATION / E	STIMATED COST:
DEPT.	-	_	773	773	773	Ю		Current		\$ 993,026.35
ORGANIZ	ZATION		960	960	960			Phase I (FY09)	\$ 6,176,515.00
OBJECT.	ACCOUNT	-	4279	4279	427		 	Phase II		\$ 8,647,122.00
JOB ORD	DER		176830	461930	4400			Total	,	\$15,816,663.35
C.I.P. NU	MBER		40-931.0	46-193.0	44-00	1.0			vious Authorized	<u>\$ 993,026.35</u>
AMOUNT	•	\$	14,246,137	\$577,500	\$2,426	,797	•	This Re	quest	\$14,823,637.00
				10.	ROUTING A	ND API	PROVALS			
ROUTE (#)	APPROVING AUTHORIT		APPROV	AL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPR	OVAL SIGNATURE	DATE SIGNED
1	DEPT. DIRECTO	AMB.	() h. 40	nel of	6/27/08	8	DEPUTY CHIEF	t775	معمسكرة	8/20/08
2	MWWD		APPR	OVAL		9	coo	1 Attack	5	8/21/X
3	EAS			ATURES		10	CITY ATTORNEY	laken	the hua	6 9/HOR
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11. P	REPARATION OF	l F:		OLUTIONS ,	. ORDINA	NCF(S)		GREEMENT(S)		
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11A.	STAFF RECOMM	ENDA ¹	TIONS:	(Please see ot	her side)					
,,,,,					Adopt the	e Resol	utions			
12.	SPECIAL CO	NDIT	IONS (REFER TO	A.R. 3.20 FOR INF	ORMATION ON	N COMP	LETING THIS SE	CTION.)		
CO	UNCIL DIS	TRI	CT(S):	2 (Faulconer), 3	(Atkins), 6 (Frye),	7 (Madaffer)			
co	MMUNITY	ARE	<u> </u>	Mission Valley	(22)					
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EN	VIRONIMEN	N I A	L IMPACT:	The City of San I 22528, dated Janu HO-5401.						
HO	USING IMF	AC	<u>Τ:</u>	None						
<u> ATT</u>	ACHMEN	<u>rs:</u>		Project Cost Est	imate, Locati	on Map	, Mitigated Neg	gative Declarati	on and Plans and	Specifications
CITY	CLERK II	NST	RUCTION:						and Resolution(s)	to
				Joanne Ferrer at	r roject imple	ementa'	non and Technic	cai Services, M	5 908A.	

SECTION 11 - PREPARATION OF RESOLUTIONS, ORDINANCES, ETC. (CONTINUED):

- 2. Approving the Plans and Specifications for construction of South Mission Valley Trunk Sewer as advertised by Purchasing and Contracting Department; and
- 3. Authorizing the expenditure of \$14,823,637 of which \$14,246,137 is from CIP 40-931.0, South Mission Valley Trunk Sewer, Fund 41506, Sewer, for the purpose of providing funds for this project's construction and related costs, and \$577,500 is from CIP 46-193.0, Annual Allocation Muni Pooled Contingency, Fund 41506, Sewer, for the purpose of providing funds for this project's contingency, contingent upon the City Comptroller furnishing one or more certificates certifying that funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer; and
- 4. Authorizing the Mayor, or his designee, to establish contract funding phases and execute a construction contract with the lowest responsible and reliable bidder contingent upon the City Comptroller furnishing one or more certificates certifying that funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer; and
- 5. Authorizing the City Comptroller, upon the advice from the administering department, to return excess budgeted funds, if any, to the appropriate reserves; and
- 6. Stating for the record that the final MND has been reviewed and considered prior to approving the project.

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: J

June 18, 2008

ATTENTION:

Council President and City Council

ORIGINAL DEPT.: SUBJECT:

Engineering and Capital Projects, Right-Of-Way Division Advertising and Award of South Mission Valley Trunk Sewer

COUNCIL DISTRICTS:

2 (Faulconer), 3 (Atkins), 6 (Frye), 7 (Madaffer)

STAFF CONTACT:

M. Gibson (619) 533-5213/W. Gamboa (619) 235-1971

REQUESTED ACTION:

Council authorization is requested to advertise and award a construction contract for South Mission Valley Trunk Sewer.

STAFF RECOMMENDATION:

• Adopt the resolutions.

EXECUTIVE SUMMARY:

The South Mission Valley Trunk Sewer, originally installed in 1947, is located in the Mission Valley Community along Interstate 8 between Morena Boulevard and Interstate 15 and consists of four phases. This project, South Mission Valley Trunk Sewer, is the first phase of this trunk sewer replacement and consists of approximately 3,000 feet of 42" diameter trunk sewer along Interstate 8 between Hotel Circle Place and Taylor St., and approximately 600 feet of 24" diameter trunk sewer at the I-8/I-15 interchange. It includes those portions of the trunk sewer in deteriorated conditions, and also replacement of the downstream portion to increase capacity. The EPA requires completion of this project by October 2011.

This request includes the transfer of FY2009 budget from CIP 44-001.0, Annual Allocation – Sewer Main Replacement to CIP 40-931.0, South Mission Valley Trunk Sewer. Currently, there are no Sewer Group projects scheduled and prepared to encumber this funding.

EQUAL OPPORTUNITY CONTRACTING:

Funding Agency: City of San Diego

Goals: 14% Mandatory Subcontractor Participation Goal, 5% Advisory

Participation Goal Disadvantaged Business Enterprise (DBE), 1% Advisory Participation Goal Disabled Veteran Business Enterprise

(DVBE), 8% Advisory Participation Goal Other Business Enterprise (OBE).

Other: Prior to award, a workforce report, and if necessary, an Equal Opportunity Plan

shall be submitted. Staff will monitor the Plan and adherence to the

Nondiscrimination Ordinance. EOC staff will evaluate the bidder's compliance with SCOPe. Failure to comply with SCOPe will lead to the bid being declared non-responsive. This contract will be advertised for bids in the San Diego Daily Transcript, the Orange County Register, the City of San Diego's website, and the E-Bid Board. In addition, once implemented, the Bidder Registration Program will notify registered participants of bid opportunities. Prior to implementation of the Bidder Registration Program, the City will notify trade

associations and eligible firms via fax and/or e-mail.

FISCAL CONSIDERATIONS:

The total estimated cost of this project is \$15,816,663.35. Funding of \$2,262,971 was previously authorized by Council (R-296104), Council (R-294804) and O-19701 for consultant services and related costs for South Mission Valley Trunk Sewer projects Phase I, II, III and IV. Of this amount, \$993,026.35 was authorized for South Mission Valley Trunk Sewer (Phase I). Additional funding of \$14,246,137 will be available in the Enterprise Fund, CIP 40-931.0, South Mission Valley Trunk Sewer, Fund 41506, Sewer, of which \$2,426,797 was transferred from CIP 44-001.0, Annual Allocation — Sewer Main Replacement, Fund 41506, Sewer and \$577,500 will be available in CIP 46-193.0, Annual Allocation — Muni Pool Contingency, Fund 41506, Sewer, for this purpose.

This project cost may be reimbursed approximately 80% by current or future debt financing. This project is scheduled to be phase funded over two fiscal years from FY2009 to FY2010. Contingent upon availability of funds, the City Comptroller will issue an Auditor Certificate for each phase of the project.

PREVIOUS COUNCIL AND COMMITTEE ACTIONS:

On May 1, 2001, Council (R-294804) and February 25, 2002, Council (R-296104) executed an agreement with Hirsch and Company for \$118,000 for pre-design and \$954,971 for design, respectively. On January 8, 2008 Council (O-19701) executed a First Amendment to the agreement with RBF Consulting for \$394,148 and authorized additional related in-house costs for \$795,852.

The Committee on Natural Resources and Culture on July 23, 2008, consent motion by Councilmember Atkins, second by Council President Peters. Vote to approve 4-0.

The request to transfer \$2,426,797 from the Annual Allocation – Sewer Main Replacement, Fund 41506 to Sewer CIP 40-931.0, South Mission Valley Trunk Sewer, Fund 41506, was approved by IROC on September 8, 2008.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

During the original design phase, this project had been presented to the Mission Valley Community Council and Mission Valley Tourism Council on four (4) separate occasions from 2001 to 2004. A more recent presentation to the Mission Valley Community Council was made on April 2, 2008, and a presentation to the Mission Valley Tourism Council is scheduled for August 7, 2008. Residents and businesses will be notified by the City's Engineering & Capital Projects Department at least one (1) month before construction begins and by the contractor at least ten (10) days before construction begins through hand distribution of notices.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The key stakeholders are identified as public and municipality. The project impacts include improved capacity for the new trunk sewer.

Patti Boekamp

Director, Engineering & Capital Projects

David Jarrell

Deputy Chief of Public Works

000529

. The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

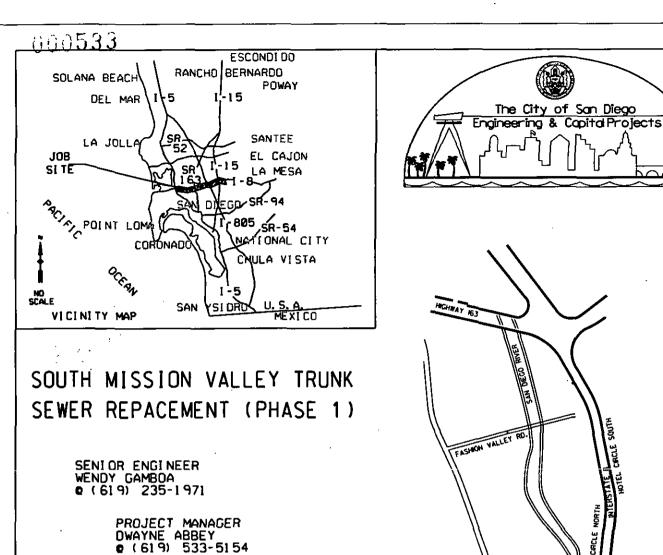
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OPIGINATING

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ADVERTISING: X				_	2267		176830 40-931.0	- -	
AWARD: X Reallocation:			Council District: Community Area:		2,3,6,7 South Mission Valley		40-931.0	-	
Deappropriation:					· · · · · · · · · · · · · · · · · · ·	-			
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4115 - As Needed (Consult.	7,003.00		500.007.00			7,003.00 1,541,137.00	0.04%	
	4116 - Const. Eng. 4118 - Outside Eng./Consult.		642,140.00	898,997.00			567,970.00	9.74% 3.59%	
41181 - Engr. Servi							0.00	0.000	
4151 - Professional 4240 - Reimbursem							0.00	0.00%	
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B. CONSTRUCTION							İ		
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42220 - JOC or G							0.00	0.00%	
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4150 - Safety 4810 - OCIP	ļ					_ 	0.00	0.00% 0.00%	
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C. EQUIPMENT & F	URNISHING								
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3316 - Pipe Fitting 4922 - Const. Rela					_	·	5.00	0.00%	
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F. LAND ACQUISITE 4638 - Land Acqui								0.00%	
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G. Other					•				
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4282 - Oth Non-Per	sonnel Exp						0.00	0.00%	
Total Other		0.00	0.00	0.00		0.00	0.00	0.00%	
TOTAL PROJEC	COST	993,026.35	6,176,515.00	8,647,122.00			15,816,663.35	100.00%	
					Document	Number	409310/409311/409312/409313	409310	
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Labor	0.00	0.00			P A 700			0.00	
Material	0.00	0.00			Total Pre. Auth.		2,262,971.00	993,026.35	
Equipment	0.00	0.00 0.00						Į.	
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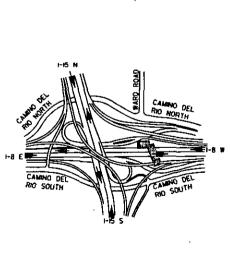


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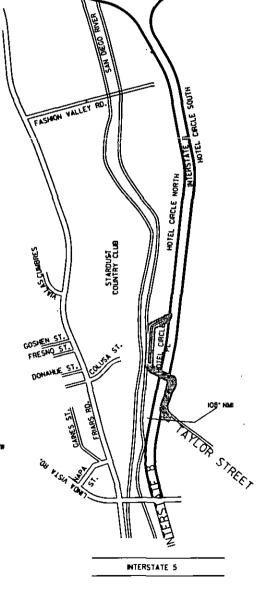
LOCATION MAP

<u>LEGEND</u>

PROPOSED SEWER



PROJECT ENGINEER ALI MOHAMMADIAN © (619) 533-7481



, 7 0:	<u>X</u>	Recorder/County Clerk P.O. Box 1750, MS A33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422	FROM: City of San Diego Development Services Depa 1222 First Avenue, MS 501 San Diego, CA 92101	JTTMENT DE D Gregory J. Smilli, Recorder/County Clerk
	<u>X</u> .	Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814		AUG 0 1 2006
Project	Number	r: <u>22528</u>	State Clearinghouse Number: 200508	81140 DEPUTY
Permit	Applica	nt: Carrie Purcell, City of San Diego Engin MS908A San Diego, CA 92101, (619)	neering and Capital Projects, Water and Sev 533-5124,	ver Design, 600 B Street.
Project	Title: So	outh Mission Valley Trunk Sewer		
Project	Location	805, Mission Center Drive. Interstate Rou	ments within portions of Taylor Street, undouth, under State Route 163, Camino del Riute 5. Camino del Rio dission Valley Community planning area of	io South, under Interstate North, Camino del Arroyo,
work a Street. "th. yo County Design	imately 2 iso inclu- under In- under In- and und of San I Division	tion: Approval of Capital Improvement Project. 182 lineal feet (LF) and the abandonment des associated improvements such as laterals terstate 8. Hotel Circle Place. Hotel Circle Neterstate 805. Mission Center Drive. Interstate der State Rout 15. The project is located with Diego, California. Applicant: City of San Diego.	of 12.830 LF of existing trunk sewers and a manholes, and related improvements with orth. Hotel Circle South, under State Route Route Route 5. Camino de la Reina, Camino del hin the Mission Valley Community planning and Capital Projects Depa	sewer main. Scope of in portions of Taylor 2163, Camino del Rio Rio North, Camino del agarea of the City and artment, Water & Sewer
followi	ng deten	minations:		
1.	The pro	eject in its approved form will, _X wi	ll not, have a significant effect on the environment	onment.
2.		An Environmental Impact Report was prepa	red for this project and certified pursuant to	o the provisions of CEQA.
	<u>X</u>	A Mitigated Negative Declaration was prepared	ared for this project pursuant to the provision	ons of CEQA.
		An addendum to Mitigated Negative Declar CEQA.	ation was prepared for this project pursuant	t to the provisions of
		Record of project approval may be examined	d at the address above.	
3.	Mitigati	ion measures X were, were not, made	e a condition of the approval of the project.	
		fied that the final environmental report, inclu Land Development Review Division, Fifth F		
/ ¹yst	: <u>Sheare</u>	r-Nguyen FILÉĎ IN THE OFFICE ÓF THE COUI San Diego County on ÀUG () 1 7000 SE Posted _AUG () 1 2006 Removed Returned to agency on SEP () 1 200	Filed by: (2)MMM. P 0 1 2005 Signature	6-53,69 Aswn Aliman

Deputy_

CALIFORNIA DEPARTMENT OF FISH AND GAME CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding or One Fee Per Project Provision

Project Title/Location (include county): South Mission Valley Trunk Sewer. The project alignment is located improvements within portions of Taylor Street, under Interstate 8, Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163. Camino del Rio South, under Interstate 805. Mission Center Drive, Interstate Route 5, Camino de la Reina, Camino del Rio North, Camino del Arrovo, and under State Rout 15, all within the Mission Valley Community planning area of the City and County of San Diego.

Project No. 22528

SCH No. 2005081140

Carrie Purcell, City of San Diego Engineering and Capital Projects. Water and Sewer Design. Project Applicant: 600 B Street, MS908A San Diego, CA 92101, (619) 533-5124.

Project Description: Approval of Capital Improvement Project No. 40931.0 for the replacement and new construction of approximately 21,182 lineal feet (LF) and the abandonment of 12,830 LF of existing trunk sewers and sewer main. Scope of work also includes associated improvements such as laterals, manholes, and related improvements within portions of Taylor Street, under Interstate 8. Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163, Camino del Rio South, under Interstate 805, Mission Center Drive, Interstate Route 5, Camino de la Reina, Camino del Rio North, Camino del Arroyo, and under State Rout 15. The project is located within the Mission Valley Community planning area of the City and County of San Diego, California, Applicant: City of San Diego, Engineering and Capital Projects Department, Water & Sewer Design Division...

Findings of Exemption (attach as necessary):

A(n) Mitigated Negative Declaration, Initial Study, and Biology Survey Report) have been prepared for the project. The report concludes that there is substantial evidence in the record that the project would result in a de minimis impact to wildlife resources as all of the following apply:

- 1. No significant biological resources exist on the project site.
- 2. The project would have no adverse impacts on biological resources located off-site.
- 3. No mitigation measures are proposed to address impacts to biological resources.
- 4. No conditions in any discretionary actions associated with the project address biological resource issues.
- 5. No broader impacts on a habitat (for example - urban runoff effects on wetland) were identified.

(Please use Variables 7-15 for projects that qualify for the "one fee per project provision but not for the de Note: minimis impact finding. Please check one of the four boxes below. Please also delete Variable 6 and the six findings (above) if Variables 7-15 are used.)

Certification:

I hereby certify that the lead agency has made the above findings of fact and that based upon the initial study and/or Biology survey report, and hearing record, the project involves no potential for adverse effect, either individually or cumulatively on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

> Gary Halbert Christiansen, Deputy Director Development Services Department

Title: Senior Planner

Lead Agency: City of San Diego

Date: 1/11/11 5 2006

STATE OF CALIFORNIA - TH. LESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
DFG 753.5a (8-03)

Lead Agency: City of San Diego	Date: 08/01/2006			
County / State Agency of Filing: San Diego	Document No.: 13688			
Project Title: South Mission Valley Trunk Sewer				
Project Applicant Name: Carrie Purcell, City of San Diego, Engineering and Capital Projects Phone Number: (619) 533-512				
Project Applicant Address: 600 B St, MS908A, San Diego, CA 92101				
Project Applicant (check appropriate box): Local Public Agency School District Other Special District				
State Agency Private	Entity 🗸			
CHECK APPLICABLE FEES:				
() Environmental Impact Report	\$850.00 \$			
() Negative Declaration	51,250.00 \$			
() Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00 \$			
() Projects Subject to Certified Regulatory Programs	\$850.00 \$			
() County Administrative Fee	\$25.00 \$			
(√) Project that is exempt from fees	·····			
C C TOTAL R	ECEIVED \$ 0.00			
Signature and title of person receiving payment:	Deputy			
WHITE - PROJECT APPLICANT YELLOW - DFG/FASB PINK - LEAD AGENCY GOLDEN	ROD - STATE AGENCY OF FILING			



RECORDING REQUESTED BY

CITY OF SAN DIEGO **DEVELOPMENT SERVICES** PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

2006-0621731 $\bigcirc\bigcirc\bigcirc$ #

AUG 31, 2006

9:39 AM

OFFICIAL RECORDS SAN DIEGO COUNTY RECORDER'S OFFICE GREGORY J. SMITH, COUNTY RECORDER 26.00 FAGES:



6888

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 176831

SITE DEVELOPMENT PERMIT NO. 56160 SOUTH MISSION VALLEY TRUNK SEWER HEARING OFFICER

This Site Development Permit No. 56160 is granted by the Hearing Officer of the City of San Diego to the Engineering and Capital Project Department, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708. The linear pipeline site is located in Mission Valley in the City of San Diego within portions of Taylor Street, under Interstate 8, in Hotel Circle Place, Hotel Circle North, Hotel Circle South, under State Route 163, in Camino del Rio South, under Interstate 805, in Mission Center Drive, Interstate 5, in Camino de la Reina, Camino del Rio North, Camino del Arroyo, and under State Route 15 in the City of San Diego, in various Mission Valley Planned District (MVPD) zones including from Commercial Visitor and Commercial Office of the Mission Valley Community Plan Area.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to replace approximately 21,182 lineal feet and abandonment of 12,830 lineal feet of existing trunk sewers and sewer main of the South Mission Valley Trunk Sewer including associated improvements such as laterals, manholes, and related improvements, as described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated June 7, 2006, on file in the "A."

The project or facility shall include:

- a. Replace 21,182 lineal feet of the South Mission Valley Trunk Sewer;
- b. Abandon 12,830 lineal feet of existing trunk sewer and sewer main;
- Associated improvements, such as laterals, manholes, and related improvements;
- d. Landscaping (planting, irrigation and landscape related improvements);

CALGINAL

e. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

- 1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the "A;" and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
- 3. Unless this Permit has been revoked by the City of San Diego, the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit, unless otherwise authorized by the Development Services Department.
- 4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- 5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.



8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 9. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.
- 10. As conditions of Site Development Permit No. 56160, the mitigation measures specified in the MMRP, and outlined in the MITIGATED NEGATIVE DECLARATION, NO. 22528 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
- 11. Prior to issuance of any construction permit, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.
- 12. The Permittee/City Department shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the MITIGATED NEGATIVE DECLARATION, NO. 22528 satisfactory to the Development Services Department and the City Engineer. All MMRP requirements shall be shown on the construction plans and specifications. Prior to the issuance of Notice to Proceed with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

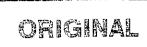
Biological, Land Use/MSCP, Historical (Archaeology) and Paleontological

13. A Job Order number open to the Land Development Review Division of the "A" shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.



LANDSCAPE REQUIREMENTS:

- 14. In the event that the Landscape Plan and the Site Plan conflict, the Landscape Plan shall prevail.
- 15. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.
- 16. Prior to issuance of any construction permits for the proposed sewer replacement, complete landscape construction documents consistent with the Landscape Standards and the Land Development Manual shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," including the Landscape Development Plan and the Tree Planting, Revegetation, & Erosion Control Specifications, on file in the Office of Development Services.
- 17. Installation of slope planting and erosion control including hydro-seeding of all disturbed land, consistent with the approved landscape plans, is considered to be in the public interest. The Permittee shall complete the aforementioned measures between October first and December thirty-first of the year in which all proposed work that creates disturbed soil is completed. Such erosion control/slope planting shall be installed in accordance with the approved plans and the Landscape Standards.
- 18. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
- 19. Prior to the termination of revegetation establishment maintenance, the Mitigation Monitoring Coordination section of Land Development review shall certify that all revegetation has been established per the requirements set forth by the City Manager.
- 20. All required landscape shall be maintained in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
- 21. The Permittee shall be responsible for the installation and maintenance of all revegetation and erosion control measures consistent with the Land Development Manual and Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wetland or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.
- 22. If any required landscape (including, but not limited to; existing or new plantings, hardscape and landscape features) indicated on the approved plans is damaged or removed during



demolition or construction, it shall be repaired or replaced in kind and equivalent size per the approved plans within thirty days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available or an increased number) to the satisfaction of the City Manager.

- 23. In the event slopes are disturbed during construction or proposed to be disturbed on any submitted plans, the Owner or Permittee shall submit construction documents for slope planting or revegetation including hydroseeding and irrigation that are in accordance with the Landscape Standards and to the satisfaction of the City Manager.
- 24. The Permittee or subsequent Owner(s) shall be responsible for the installation and maintenance of all landscape improvements consistent with the Landscape Regulation and Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

- 25. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
- 26. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.
- 27. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

TRANSPORTATION REQUIREMENTS:

28. A traffic control plan should be submitted to the City of San Diego for review and approval for any area that the project is encroaching in the public roadway. Please contact Tom Elder at (858) 495-4741, or telder@sandiego.gov, for more information on the requirement for traffic control plans.



INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the Hearing Officer of the City of San Diego on June 21, 2006, Resolution No. HO-5401.



ALL-PURPOSE CERTIFICATE

Site Development Permit No. 22528

Date of Approval June 21, 2006

STATE OF CALIFORNIA COUNTY OF SAN DIEGO

> Morris E. Dye, Development Project Manager City of San Diego

On August 29, 2006 before me, Raquel Herrera, (Notary Public), personally appeared Morris E. Dye, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my/hand and official seal

Signature

Raquel Herrera

ALL-PURPOSE CERTIFICATE

RAQUEL HERRERA Commission # 1424775 Notary Public - California San Diego County My Comm. Expires Jun 15, 2007

OWNER/PERMITTEE SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER/PERMITTEE, BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER/PERMITTEE THEREUNDER.

Signed Clemens Wassenberg PROJECT MANAGER

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On August 29, 2006, before me, Raquel Herrera (Notary Public) personally appeared Clemens Wassenberg, or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

RAQUEL HERRERA Commission # 1424775 Notary Public - California San Diego County /ly Comm. Expires Jun 15, 2007

10/21/2008

RECEIVED (R-2

08 OCT 20 AM 10: 57

CITY CLERKS OFFICE SAN DIEGO, CA

RESOLUTION NUMBER R	•		
_	•		
DATE OF FINAL PASSAGE			

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS, EXPENDITURE OF FUNDS, AND REQUIRING PREVAILING WAGES REGARDING THE SOUTH MISSION VALLEY TRUNK SEWER PROJECT

WHEREAS, the Council of the City of San Diego [Council] has the discretion to require, on a case by case basis, based on the evidence in the record, that prevailing wages be paid on its public works municipal affair projects when the Council determines that doing so will provide an economic benefit to the City;

WHEREAS, Council Resolution No. R-298185 directs that advertising for bids include a prevailing wage specification on all City public works "municipal affair" water and / or sewer fund projects when the engineer's estimate for the construction of the project exceeds ten million dollars; and

WHEREAS, the South Mission Valley Trunk Sewer, phase I [the Project], mandated by the Environmental Protection Agency is a public works "municipal affair" sewer fund project falling within the parameters of the resolution; NOW, THEREFORE,

BE IT RESOLVED, by the Council that the plans and specifications for the construction of the Project, including the prevailing wage specifications, as advertised by the Purchasing and Contracting Department, filed in the office of the City Clerk as Document

No. _______, are approved.

BE IT FURTHER RESOLVED, that after advertising for bids in accordance with law, the Mayor, or his designee, is authorized to establish contract funding phases and execute a

construction contract with the lowest responsible and reliable bidder, provided that the City

Comptroller first furnishes one or more certificates certifying that funds necessary for

expenditure under established contract funding phases are, or will be, on deposit with the City

Treasurer.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer an amount not to exceed \$2,426,797 from Sewer Fund 41506, CIP No. 44-001.0, Annual Allocation – Sewer Main Replacement to Sewer Fund 41506, CIP 40-931.0, South Mission Valley Trunk Sewer.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$14,823,637, of which \$14,246,137 from Sewer Fund 41506, CIP No. 40-931.0, South Mission Valley Trunk Sewer is authorized for the purpose of providing funds for this Project's construction, contingency and related costs, and \$577,500 from Sewer Fund 41506, CIP 46-193.0, Annual Allocation – Muni Pooled Contingency is authorized for the purpose of providing funds for this Project's contingency and related costs, provided that the City Comptroller first furnishes one or more certificates certifying that the necessary funds for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the Mayor or his designee is further authorized to include state prevailing wage requirements in the contract awarded for this project.

BE IT FURTHER RESOLVED, that the that the City, stating for the record that the information contained in the Mitigated Negative Declaration No. 22528, including any comments received during the public review process, has been previously reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEOA Guidelines section 15162 would warrant any additional environmental review in connection with approval of the Project.

Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego

BE IT FURTHER RESOLOVED, that the City Clerk is directed to file a Notice of regarding the above Project. APPROVED: MICHAEL J. AGUIRRE, City Attorney By Pedro De Lara, Jr. Deputy City Attorney PDJ:sc 10/17/08 Corr. 08/25/08 Aud.Cert.: AC2900133 Or.Dept:/E&CP R-2009-200 I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ______

	ELIZABETH S. MALAND City Clerk
	By Deputy City Clerk
·····	

Approved: ____

(date)	JERRY SANDERS, Mayor
Vetoed:	
(date)	JERRY SANDERS, Mayor